

VOTING AT THE POINT OF A GUN

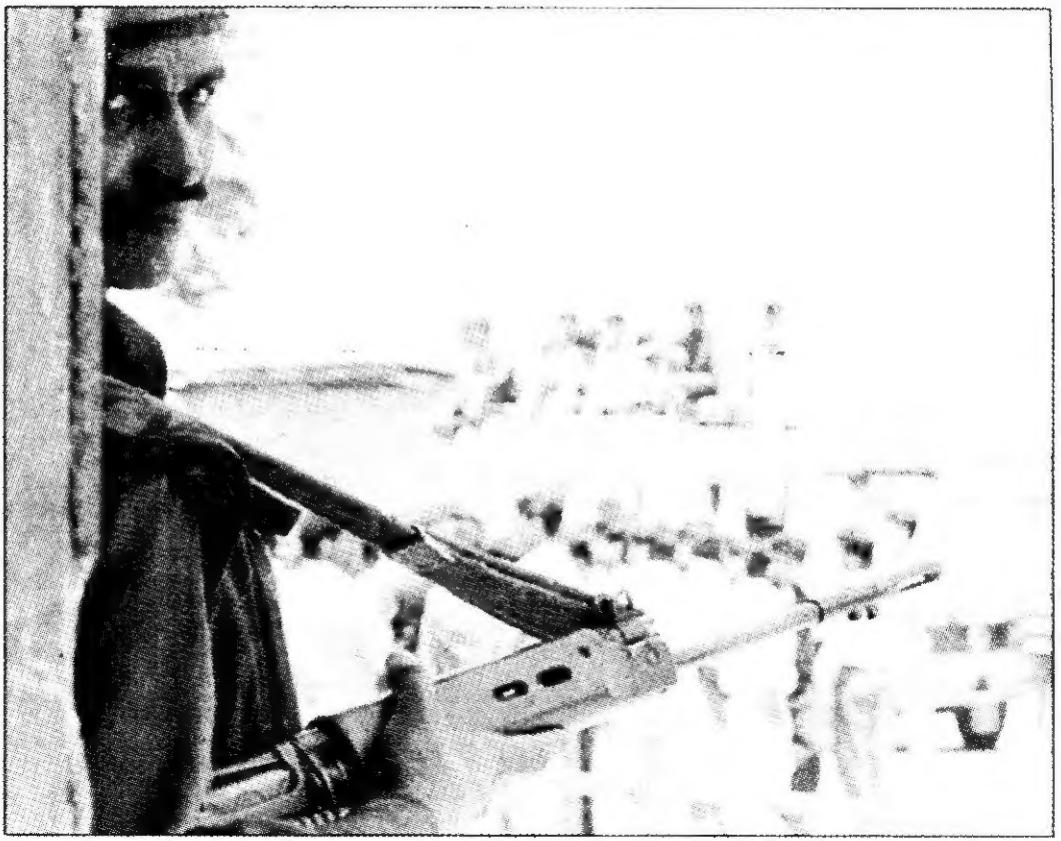
Counter - insurgency and the farce of elections in Kashmir

A report to the people of India.

July, 1996



Security forces in tandem with renegade militants hustle voters to the polling booths in the Kashmir valley



A securityman keeps watch as an election meeting of the Jammu and Kashmir Awami League gets underway in a market place near the Hazratbal shrine in Srinagar on Monday



Kashmiri women, demonstrating against the polls along with their menfolk outside buildings where Kukka Parrey's "pro-government militants" were staying at Rajouri Kadal in Srinagar, flee as Parrey's men open fire on the mob that pelted stones on the buildings on Saturday.

VOTING AT THE POINT OF A GUN

Counter - insurgency and the farce of elections in Kashmir

*A report by a fact finding team consisting of K.Balagopal (*Andhra Pradesh Civil Liberties Committee*), M.J. Pandey and Suresh Rajeshwar (*Committee for the Protection of Democratic Rights, Bombay*), and Vinod Shetty (*Lokshahi Hakk Sanghatana, Bombay*).*

July, 1996

TABLE OF CONTENTS

I	PREFACE	2
II	THE COUNTER-INSURGENTS	5
III	THE PRELUDE TO ELECTIONS	14
IV	THE DAY OF POLLS	24
V	CONCLUSION	30
VI	ANNEXURE : COUNTER - INSURGENT OUTFITS : A PROFILE	32
VII	REPORTS IN THE MEDIA (Extracts & Reprints)	34

I Preface

This report is a sequel to *Blood in the Valley : Kashmir behind the Propaganda Curtain* published jointly by eight civil liberties and democratic rights organisations in December 1995. That publication arose from a fact finding exercise undertaken by the organisations during 31 July - 7 August 1995. The report documented in brief the historical-political background to what is called the 'Kashmir problem', and in detail the violence perpetrated by the Indian State in its attempt to settle a deep-rooted political problem by means of suppressive force. The violence, as described in the report, is partly by means of undemocratic and draconian legislation (the Armed Forces (J&K) Special Powers Act, J&K Public Security Act, the Terrorist and Disruptive Activities (Prevention) Act, the J&K Disturbed Areas Act, etc.) and largely by means of the unlawful force employed by the Indian armed forces : the Army, Border Security Force (BSF), Central Reserve Police Force (CRPF), etc. Particular mention was made in that report of the Rashtriya Rifles, a specially constituted counter-insurgency wing of the Army.

That report touched in brief upon a very dangerous and disturbing strategy that, it appeared, the Indian authorities are adopting in their design to kill and suppress the Kashmiri movement for self-determination. This is the creation and fostering of private armed groups of Kashmiris who would act as surrogates of the Indian army. This strategy of 'setting a Kashmiri to kill a Kashmiri' was at the stage of inception in August 1995. It merited just one page in our report. But in view of our general experience with the criminal strategies and tactics commonly adopted by the Indian State to suppress political dissent and popular movements, we could and did point out that (such) 'official patronage for a militant group which agrees to target the State's principal enemy is a very dangerous phenomenon. Its effects were seen in Punjab where similar tactics were tried. Such an officially patronised group can turn into an anarchic criminal gang and do a lot of harm to the people. Such groups can also be used by the State to eliminate inconvenient persons (for instance, human rights activists) whom the army would find it a little embarrassing to directly eliminate' (*Blood in the Valley*, p 107).

In the nine months following that fact finding team's visit, this phenomenon of State-sponsored counter-militancy has increased to a point where it is today central to the fears of the Kashmiris. The Indian government probably does not care, but Kashmiris today detest it for this base strategy more than they ever did in the past. For a government that rules in the name of the Law to give up the last vestiges of legality and encourage its uniformed Forces to create, sponsor and physically accompany private armed gangs in their criminal acts of murder, loot and extortion, is certainly a very shameful level of degeneration.

News of this development, received from human rights activists of the valley, and occasional reports in the Indian Press, impelled those who had participated in the July-Aug 1995 fact finding team to think of one more visit to Kashmir to collect factual details about these State-sponsored

militant groups, and the underlying strategy of suppression evolved by the Indian State. To collect such details, to inform the Indian people about these repressive methods being adopted by the Indian rulers, and to create a public opinion critical of it, is necessary, in our view, not only for a just resolution of the Kashmir issue, but for the future of democratic rights in India as a whole.

We wish to make it clear at this point that what we are objecting to is not the decision of some Kashmiris to oppose or even to fight against the militants who are leading the struggle for Kashmir's independence from India. That is their will and choice. Indeed, such opposition to the movement for separation of Kashmir from India is not unknown in Kashmir, though it appears to be a minority sentiment. Civil and democratic rights organisations will unequivocally express criticism of the militants' intolerance towards such dissenters and physical attacks upon them. Today the Indian authorities are trying to project the State-sponsored armed groups as such dissenters who have armed themselves for self protection against attacks by militants, thus creating legitimacy for the phenomenon. That this image being presented by the government of India is a mere camouflage of its criminal strategy will emerge from the report that follows.

A second reason for the present fact finding effort was the holding of elections to Parliament in Jammu and Kashmir. Polls to the Lok Sabha seats of the Kashmir valley were to be held on two days, 23 and 30 May. For this exercise, too, the government of India sought to give an explanation that sounds legitimate and lawful. That it is the bounden duty of lawful authorities to give the people of Kashmir a chance to elect their representatives to Parliament; that the threats of the guns of the militants must not be allowed to deprive the people of their democratic right to elect their representatives; that the holding of elections first to Parliament and then to the State Assembly amounts to initiating the political process in Jammu and Kashmir; that those who oppose the elections are doing so because they have no desire to participate in the political process and no faith in a political solution; such are the arguments put forward by the Indian authorities and a sizable section of India's public opinion makers.

These arguments must be seen in the context of the actual political problem in Jammu and Kashmir. The problem is that J&K's accession to India is a disputed issue. The act of accession in 1947 was predicated upon autonomy for the State so long as it remained in India, and the holding of a plebiscite to determine whether its people wished to remain in India. From that time onwards, elections to Assembly and Parliament in the State have been used by the Indian rulers to subvert both these conditions. Elections were manipulated in such a manner as to provide pliable governments in Srinagar that would enable Delhi to subvert J&K's autonomy. More relevant for the present context is that the people's participation in the elections in J&K has been used as an argument for 'proving' that they have accepted J&K's final and irrevocable accession to India, thereby rendering redundant the need to hold a plebiscite. Again and again it has been said by the Government of India that the Kashmiris have indicated their allegiance to India by voting at Parliament and Assembly polls.

To hold elections today, against this background, is not to give the people a chance to elect repre-

sentatives to govern them, but to give the Government of India one more chance to say that Kashmiris have voted against secession by voting for Parliament or Assembly. This is a malafide reason for holding polls, but this is exactly the Government of India's reason for doing so.

As for the political process, when a people's desire for separation from the country is the principal political issue, to hold elections for the Legislature that is part of the Indian State is not to initiate a political process for resolving the issue, but rather to incite the people to an act that amounts to giving up their demand for self-determination.

The people may themselves wish to participate in elections as a matter of political decision without giving up their demand for independence. But when a large majority of them are averse to it, and have put forward a reasonable alternative proposal for initiating a political process for resolving the issue, then the insistence on holding elections is a treacherous trick to provide one more alibi to argue that the people have given up their political demand of self-determination.

In addition to its malafide intentions, there was also the widespread suspicion that the Indian government would use force upon the reluctant people of Kashmir to participate in the polls. Or that it would freely allow the State-sponsored armed groups to use force upon the people to make them vote whether they wished to or not. Hence the second reason for the present fact finding visit: to find out what exactly the people of Kashmir thought of the attempt to hold elections, and to observe the polls at first hand to see how freely, fairly or fearlessly the elections would be conducted.

With these purposes in mind, a four member team went to Kashmir on the evening of 19 May and stayed there till 23 May, the day of polling in Baramulla and Anantnag. The team spoke to a wide cross-section of people in Srinagar city, and in Baramulla and Anantnag constituencies. On 23 May the team observed the poll in both the constituencies. It also spoke in detail to a number of Press persons who had come there to cover the elections for various papers. The information thus gathered about the first phase of polls in the valley has been supplemented by material sent to us by Kashmiri human rights activists (who wish to remain anonymous) about the polling of 30 May, the day Srinagar, the third constituency, went to the polls.



II The Counter-insurgents

The State-sponsored armed groups are called by various names in the valley, depending upon how the different actors in the Kashmir theatre view them. The army spokesman whom we spoke to in Srinagar described them as 'reformed militants'. He also gave a very plausible-sounding explanation for the close links that the army has with them. In the picture he presents, these are disillusioned former militants who have seen through and realised the evil nature of the militants and their Pakistani sponsors. They have realised the folly of secessionism and wish to lead normal lives as good citizens of India, but are threatened by their former comrades and the Pakistani training agencies. Thus they are entitled to carry weapons in self-defence and to seek the aid of India's armed forces, like any citizen threatened with injury to life.

This is a nice looking picture, but it is not the true picture. There will no doubt be many former militants who have decided to give up militancy and lead normal lives; and perhaps there are some among them who have turned "pro-India," i.e., favourable to Kashmir's integration with India. If Indian citizens are threatened by terrorists, it is certainly the duty of the State to provide them with weapon licences if they apply for them, or to provide them with armed escort if they so desire. But this is not what is happening in Kashmir. The weapons which the surrendered militants carry are not licensed weapons given on due application and enquiry, but unlicensed weapons carried over from the days of militancy; or else seized from militants whom they attack in the company of the armed forces. And they use the weapons, not for the purpose

of self-defence, which is everybody's right, but to hunt down the enemies of the Indian State, whether they are the armed militants of the groups fighting for self-determination, or unarmed activists of Jamaat-e-Islami and other organisations, or unarmed human rights activists, journalists, and other members of the intelligentsia who are either supportive of Kashmiri self-determination or critical of the Indian State's

"The weapons which the surrendered militants carry are not licensed weapons given on due application and enquiry, but unlicensed weapons carried over from the days of militancy; or else seized from militants whom they attack in the company of the armed forces"

brutalities in Kashmir. They not only hunt down these 'secessionist elements' but also rob people, loot buses and smuggle out timber from the rich Himalayan forests. Men of the armed forces invariably accompany them, not to protect them from attacks by militants, but to provide the cover of authority and the protection of their weapons to these desperados as they kill, loot and plunder.

A few instances will help give a picture of their behaviour, and the exact nature of the protection that the armed forces are giving them.

- This incident happened just after the poll of

23 May was over, and all eyes were turned to Srinagar which was to go to polls on 30 May. On 25 May, at Rajouri Kadal in Srinagar city, some armed counter-insurgents (or 'reformed militants' in army parlance) tried to rob a woman going along the road in a rickshaw. A crowd of people gathered there and tried to apprehend the robbers. They then ran and took shelter in a BSF bunker nearby. Thieves are not normally supposed to be received hospitably in the bunkers of India's armed forces, one expects, but these thieves were. As the crowd outside swelled, there was firing from inside the besieged BSF bunker, killing a 15 year old boy called Yousuf. The whole neighbourhood erupted in protest. Shops downed their shutters, and the dead boy's body was taken in a big procession (estimated at 8000 by one paper) from his house an hour later. The crowd was shouting anti-government and pro-independence slogans. The BSF again opened fire upon the mourners, killing Yousuf's brother Tahir (14). One paper reported that one more person died in the firing.

That is how 'reformed' the 'reformed militants' are, and that is how lawfully the Indian armed forces protect them.

● Sheikh Ghulam Rasool Azad was a journalist, editor of an Urdu paper called *Rehnuma-e-Kashmir* as well as an English daily called *Saffron Times*. (Lest the name of the paper cause surprise owing to the association of saffron with Hindutva, it must be added in clarification that saffron is cultivated extensively in Kashmir, especially in Pulwama district.) He belonged to village Shalina on the outskirts of Srinagar city. One day in March 1996 he published a news item in his paper that 'some armed youth supported by army men' had set the village on fire. On 20

March, the same armed youth took him out of his house, expressing their displeasure with the news item. He was forcibly taken along with them. 20 days later, on 10 April his dead body was fished out of the Jhelum river. Azad was the latest pressman to fall victim to the vengeance of armed combatants in the Kashmir War.

● On 13 May, at village Tujjar Sharief in Sopore tehsil of Baramulla district, armymen belonging to Rashtriya Rifles and armed former militants supported by them pounced upon Ghulam Hassan Maqdoomi, a medical assistant working at the local Primary Health Centre, in the course of a crackdown on the village. He was targeted for no reason other than that he was son-in-law of Syed Ali Shah Geelani, leader of Jamaat-e-Islami as well as the All Party Hurriyat Conference. He was directed to raise anti-Pakistan and pro-India slogans. Then he was taken away and let off ten days later in a badly bruised and battered condition.

● Jalil Andrabi, High Court lawyer, human rights activist and chairman of the Kashmir Commission of Jurists, was an activist whose 'commitment was matched by industrious research' in the words of A.G.Noorani (*The Statesman*, 4 April 1996). On 8 March this year, as he was traveling in his car along with his lawyer-wife Rafat Ara, he was stopped at about 5.15 p.m. and dragged out by some armed counter-insurgents who took him to a Rashtriya Rifles vehicle parked nearby. He had earlier attended a U.N. Human Rights Commission Conference, and was due to leave for another Conference this year on 18 March. There was much agitation about his abduction, including the filing of a habeas corpus petition by his wife. But all this could not save his life. On 27 March his dead body was

fished out of the Jhelum river near Rajbagh in Srinagar city. It had a bullet mark on the forehead. The counter-insurgents who aided the army in abducting Andrabi did not long survive the completion of their job.

On 5 April, five mysterious dead bodies were found near Pampore in Pulwama district. A few days later, it was reported by the Press that these were the counter-insurgents who had aided Rashtriya Rifles to waylay and pick up Andrabi. The army evidently decided to finish off these untrustworthy accomplices, for Andrabi's killing had led to a major furore nationally and internationally, and a division bench of the Srinagar High Court had set up a Special Investigation Team of the J&K Police to probe the killing. The Hurriyat leaders said to us that about 50 counter-insurgents have been thus killed after outliving their usefulness to the Indian Army. (*also refer box in page No.12*).

● One night in September 1995, five or six armed Kashmiri youth raided the campus residence of Prof. A.S. Bhat, Professor of Law and Registrar of Kashmir University. With guns slung on their shoulders they silently searched the Professor's house as he and his family looked on in terror. Neighbours saw men of the Rashtriya Rifles outside the house, covering the search by their proteges. After searching each room the armed brigade trooped out, commenting 'bach gaya'. The same night they searched the houses of a few more faculty members, the University women's hostels, and also the men's hostels, beat up some protesting students, all under the watchful eyes of the Rashtriya Rifles, and left coolly. Next day, there was a demonstration on the campus in protest against the previous night's raid.

Elimination of political opponents

One of the principal targets of the counter-insurgents is the Jamaat-e-Islami. The Hizbul Mujahideen, which has for the last three to four years been the strongest of the militant groups in the valley, is acknowledged to be the armed

"The Hizbul Mujahideen, the Jamaat-e-Islami, and persons sympathetic to these organisations are targeted by the counter-insurgents in army protection"

wing of the Jamaat. The Hizbul Mujahideen, the Jamaat-e-Islami, and persons sympathetic to these organisations are targeted by the counter-insurgents in army protection. Activists of the Hizbul Mujahideen, being armed, are in a position to protect themselves from these State-sponsored assailants, but that is not the case with those of the Jamaat or allied Islamic organisations. They have been the worst sufferers of the Government of India's counter-insurgency strategy of fostering armed groups of youth to play the role of a Kashmiri surrogate of the Indian Army. The People's Rights Organisation of New Delhi, in a report titled 'Counter-insurgency in Kashmir' says:

Unarmed civilians, especially the activists of Jamaat-e-Islami who had been providing food and shelter to the militants are the specific targets of these outfits. Thousands of natives have been displaced from their ancestral residences after being dubbed as sympathisers of Jamaat-e-Islami, and their properties have been occupied, sold out or destroyed. Around 350 residences of suspected Jamaat activists and Hizbul Mujahideen militants have been blasted so far.

Abdul Gani Lone of the Hurriyat Conference told us that the pro-Government militants board

buses, abuse and beat bearded men alleging that they are Jamaat sympathisers and rob them with impunity while the army men look on. It must be stressed that in all these depredations, the counter-insurgents are not merely aided and abetted but **physically accompanied** by the armed forces. Not only the Jamaat, but all Islamic organisations are hit by these attacks. Prof. Basheer Ahmed Muttoo of the physics faculty of S.P. College, Srinagar, who was associated with the Islamic Study Circle and with the Iqbal Memorial Trust which runs schools in the valley, was shot dead by the counter-insurgents at his residence in Soura, Srinagar, on 15 May this year. They also shot at Prof Yousuf Omar Khan of the Dept. of Electrical Engineering, Regional Engineering College, Srinagar, who was also associated with the Iqbal Memorial Trust and its schools. Fortunately, he was not fatally hit, and is presently recovering at the AIIMS, New Delhi. Other pro-Jamaat intellectuals killed by the counter-insurgents include Mahmood Ahmed, medical practitioner and Abdul Rashid Shah, public prosecutor at the Magistrates' court in Handwara, Kupwara district. They were killed in November 1995.

It must be added that as far as intolerance goes, the Hizbul Mujahideen and the Jamaat-e-Islami are no better. In the last few years they have

"It must be added that as far as intolerance goes, the Hizbul Mujahideen and the Jamaat-e-Islami are no better. But while such violent intolerance is always unequivocally condemnable, it must be clearly distinguished from the State-sponsored extermination of a dissident political opinion"

attacked and killed many people for no greater reason than the they opposed the politics of these organisations. But while such violent intolerance is always unequivocally condemnable, it must be clearly distinguished from the State-sponsored extermination of a dissident political opinion.

The Jamaat and its sister organisations are not alone in being targeted by the counter-insurgents. We have already mentioned the role played by them in the killing of Jalil Andrabi who was not a Jamaat activist but a human rights activist and lawyer. We have also spoken of the killing of newspaper editor Sheikh Ghulam Rasool Azad. Zafar Mehraj of Zee TV and Reuters was abducted by counter-insurgents as he was returning from an exclusive interview with Kuka Parrey, a prominent counter-insurgent leader, on 8 December 95, and shot and left in a seriously wounded condition. Fortunately, he survived. What all these persons, whether Jamaat activists or not, have in common is that they belong to the Kashmiri intelligentsia that is supportive of self determination, or at least critical of the Government of India's abysmal human rights record in the valley, though they may have differed among themselves about the nature and the means of the goals of the Kashmiri struggle. The terrorising and physical elimination of intellectuals who are part of the Kashmiri struggle for self-determination is a major aim of the Indian army's strategy of counter-insurgency through the medium of sponsored pro-government militancy. Many Kashmiri intellectuals said to us that the Indian State thereby seeks to decimate the thinking element of the Kashmiri struggle, an unpardonable purpose that it seeks to hide under the military-sounding rubric of counter-insurgency. Thanks to the counter-insurgents, quite a few academics of Kashmir University dare not stir out of the four walls of the campus, and speak in hesitant tones even within the four

walls. A senior faculty member said to us that "if they know I am talking to you, I may be attacked'. 'They' refers to the counter-insurgents.

"The terrorising and physical elimination of intellectuals who are part of the Kashmiri struggle for self-determination is a major aim of the Indian army's strategy of counter-insurgency through the medium of sponsored pro-government militancy"

A similar sentiment was expressed to us by the intelligent and articulate research scholars of the University who said "we are forced to suspect even you." We also observe that there was an election office of one of the counter-insurgent groups just outside the main gate of the University.

Attacks on Hurriyat Leaders

What is true of the intellectual representatives is even more true of the political leadership of the Kashmiri struggle. Two main leaders of the All Party Hurriyat Conference, Syed Ali Shah Geelani and Abdul Gani Lone, have suffered repeated attacks on their houses and person. On 16 October 1995, pro-army militants barged into the house of Abdul Gani Lone in Rawalpora, Srinagar, with the intention of attacking him. He escaped, and they took the gun of his security guard and ran straight into a CRPF camp for shelter. On 31 October there was a rocket attack on the house of Syed Ali Shah Geelani in Hyderpora, Srinagar. Later, in January, February and April this year, there were grenade attacks on Lone's house. On 10 April, within one hour of the grenade attack on Lone's house, there was a grenade attack on the house of Geelani. There were rocket/grenade attacks again on the house of Geelani on 17 and 18 May, all of them sus-

pected to be the handiwork of counter-militants. Today these two Hurriyat leaders have remodelled their houses to look like fortresses. They have raised high walls, set up iron railings and have built outhouses to protect their houses from rocket or grenade attacks. We will refer later to the direct attacks made by the armed forces to eliminate the Hurriyat leaders during the recent polls when they undertook a poll boycott campaign.

These attempts to decimate the political leadership of the Kashmiri struggle are of a piece with the attempt to eliminate the pro-azadi intellectuals, the human rights activists and journalists. The counter-militants are very useful for these purposes, for they are as much Kashmiris as the persons to be eliminated. They can approach and beguile their targets much more easily than the men of the armed forces. They have more knowledge of locale and habits. They can mix and merge in the surroundings as no army man can. Above all, acting through them to commit crimes provides an easy alibi to the Government of India and its Administration in Jammu and Kashmir: if some Kashmiris have developed hatred of the movement for self-determination and its leadership, what can poor India do? How is it to blame?

Universal hatred for 'counter - militants'

No wonder that these Kashmiris who have become willing tools in the hands of the Indian government are commonly described as 'renegade militants' by Kashmiris. Interestingly, not only the Hurriyat leaders, Jamaat activists or other pro-azadi partisans but even steadfast integrationists such as Congressmen describe them as 'renegades'. Indeed, what we found remarkable is that in spite of the wide divergence of

"Indeed, what we found remarkable is that in spite of the wide divergence of views prevalent in Kashmir about the seven year old struggle for azadi, there is an overwhelming uniformity of views about two matters: one is the firm desire to secede from India, and the other is the condemnation of the counter-insurgents as renegades"

views prevalent in Kashmir about the seven year old struggle for azadi, there is an overwhelming uniformity of views about two matters: one is the firm desire to secede from India, and the other is the condemnation of the counter-insurgents as renegades. Explaining the latter, Yasin Malik of JKLF said that 'Kashmiris are basically anti-India', meaning that they are as firm in their dislike of those who collaborate with Indian authorities to the detriment of the struggle for self-determination as in the commitment to self-determination itself.

From the reactions of Congressmen who are otherwise friendly with the Indian authorities, it appears that acting as armed agents of the Indian authorities is a thing detested universally in the valley.

Official statistics (given by the Army's Public Relations Officer in Srinagar) indicate that 624 militants surrendered in 1995. This year there have been about 300 surrenders upto April. Certainly, not all of these have become counter-insurgents. Nor are all counter-insurgents surrendered militants. Many of them are, but there are some who have taken to counter-militancy out of personal vengeance for some act of perceived injustice done to them by the militants;

some who have done so due to the pressure of the armed forces; some who have found the temptations of licensed criminality monetarily attractive ; and so on. As we have said earlier, it is not our contention that no Kashmiri has a right to differ from or fight against the movement for independence from India.

"it is not our contention that no Kashmiri has a right to differ from or fight against the movement for independence from India. But this right to political dissent is merely a convenient camouflage for the Government of India to legitimise a reprehensible policy of arming, aiding and abetting armed groups allowed impunity to kill, loot and murder, so long as they serve the Indian Government's needs"

But this right to political dissent is merely a convenient camouflage for the Government of India to legitimise a reprehensible policy of arming, aiding and abetting armed groups allowed impunity to kill, loot and murder, so long as they serve the Indian Government's needs

Origins and activities of the counter - militants

Who and how many are these counter-militants? The Peoples Rights Organisation (PRO) of New Delhi has prepared an informative profile of these counter-insurgent groups, which we have annexed to this report. The report has identified eight groups: *The Ikhwan-ul-Muslimoon,*

led by Jamshed Shirazi alias Kuka Parrey, which is the strongest and most feared of these groups, and is spread all over the valley but is especially strong in Anantnag and Baramulla districts; the *Muslim Mujahideen*, led by Ghulam Nabi Azad, which also has its base in Anantnag; the Muslim Liberation Army led by Choudhury Jalaluddin, which concentrated in Anantnag district ; *The Ikhwan* (or J&K Ikhwan) led by Liaqat Ali alias Hilal Haider, which also has its base in Anantnag; the *Muslim Liberation Army* led by Choudhury Jalaluddin, which is confined to the border district of Kupwara; and smaller groups such as the *Indian Al-Barq*, also of Kupwara; the *Hussaini Commandos* operating in Budgam district, *Taliban* operating in Srinagar district, and the *Kashmir Liberation Jihad Force*. The PRO report details the process which helped the Indian Army to procure the services of these counter-insurgents: the inter-group rivalry and fight for hegemony between the militant groups such as Hizbul Mujahideen and Ikhwan-ul-Muslimeen; the militants' policy of physical extermination of those whom they consider enemies of the Kashmiri people or agents of the Indian Army; the criminalisation of militancy ; etc. (One tendency we noticed in Kashmir is that even otherwise perceptive people do not acknowledge any of these weaknesses as sources of counter-militancy; they insist dogmatically that all the counter-insurgents were Army agents from the beginning).

The PRO report also indicates that for many of these counter-insurgent groups, the felling of trees and the smuggling of timber from the rich Himalayan forests, and general loot and extortion of the people, is an important activity. The armed forces that accompany them turn a blind eye to these degradations. It is the fees paid and the incentive offered by the Indian State for their

collaboration in finishing off the forces of Kashmiri azaadi. And this attraction is one important source of recruitment to counter-insurgency. That this thoroughly immoral, illegal and antidemocratic policy can only create conditions of anarchic criminality in Kashmir, and further increase the alienation of Kashmiris, is evidently a matter of no concern for the Indian rulers, who are firmly convinced that the gun will solve the Kashmir problem.

Rashtriya Rifles' role in tandem

The main instrument in the creation of counter-insurgents is the Rashtriya Rifles (RR). This is part of the Army. It is a specially constituted

"A Senior Congressman of Kashmir (who has since been elected M.P.) blurted out to us that the RR is a gang of 'criminals and ruffians'. He then hastily checked himself and added that officers from the rank of Lieutenant upwards are gentlemen, but those below are ruffians"

counter -insurgency wing, answerable to the Union Home Ministry. A Senior Congressman of Kashmir (who has since been elected M.P) blurted out to us that the RR is a gang of 'criminals and ruffians'. He then hastily checked himself and added that officers from the rank of Lieutenant upwards are gentlemen, but those below are ruffians. There is evidently something odd about this Force of gentlemen-officers which recruits rufian-jawans. It is perhaps more important to realise that licensed and authorised criminality, both official and sponsored, is part of the strategy of counter - insurgency, as understood and practised by the Indian State

Men of the RR routinely accompany the counter-insurgents of the Ikhwan-ul-Muslimoon in their depredations. We were witness to a strange scene at Srinagar Airport on 20 May. Outside the airport's main gate all vehicles were being stopped and checked by men of the armed forces, presumably to detect any explosives hidden in the baggage. Accompanying the armed forces were five or six counter-insurgents who were at the same time peeping into the vehicles to identify the passengers. Such combined operations by the armed forces and the counter-militants are very common in the valley. They raid residences together, kill together and con-

duct searches and seizures together. When the counter-militants indulge in loot or robbery for gain, the armed forces look on protectively.

The armed forces make no secret of all this. One officer of the RR said to us candidly 'we are deliberately corrupting them (i.e., the surrendered militants) with wine and money'. In his view, they were to be used till the Parliament and Assembly polls were over. 'Then we will disarm them', he says, 'or they may just decide to kill them, as the army has already been doing.' As a professor of Kashmir University said, 'Once their purpose is served, or they grow too big,

'Use and Throw Away'

This number 50 does not include the biggest, most mysterious and most horrible instance of this policy of 'use and throw away' (in the words of Hurriyat leader). (Ref: Jalil Andrabi - p 6 & 7). Most Kashmiris are reluctant to talk of the incident, at least to outsiders. Perhaps that is because it involves, not some criminalised ex-militants, but a whole wing of the respected Jammu Kashmir Liberation Front (JKLF), the wing owing allegiance to Pakistan based Amanullah Khan who parted ways with India-based Yasin Malik. Shabir Siddiqui was the leader of this pro-Amanullah Khan wing/ It is widely believed, but not admitted before strangers, that this Shabir Siddiqui faction had an 'understanding' with the Government of India. A Professor of Kashmir University, who bound us to strict anonymity, said angrily tat the armed forces who have a heavy presence near the Hazratbal shrine knew perfectly well about the goings on at the Hazratbal knew perfectly well about the goings on at the Hazratbal head quarters of Shabir Siddiqui's JKLF. Seven faculty members of the Regional Engineering College, Srinagar, were abducted and tortured at the Hazratbal headquarters by Shabir Siddiqui's men who, according to the Professor, wanted some jobs and positions for men of their choice in that College. The armed forces and policemen did nothing to help the victims.

But almost the whole of the Siddiqui faction's important leaders and cadre, including Siddiqui himself, were finished off in an operation by the Special Task Force of the J&K Police during the last week of March this year. On 24 March, there was a crackdown on the JKLF office at Hazratbal in which 8 militants and Commander-in-Chief Basharat Raza were killed. The rest of that faction's men, including Shabir Siddiqui himself, agreed after a few days to surrender without resistances. It was announced on 29 March that they had been taken into custody. But on 30 March, the whole lot of them, 24 in number, including Siddiqui himself, were declared to have died in an 'encounter'. Did they resist in the last moment after having invited the confidence of the authorities with the offer of surrender, or were thy wiped out in cold blood to hide the traces of whatever understanding the authorities had with them? The latter seems more likely, considering how thorough and totally one-sided the operation was.

they will be eliminated'. We have already seem some examples of this policy

'Counter-insurgency' includes the use of brutal force to break the hartals and strikes enforced by the militants. Shops that down their shutters are forced to open. The locks are shot at and shattered. We were told at Baramulla that shopkeepers known to be sympathetic to the Jamaat-e-Islami are forced to open their shops first. The purpose of this is to humiliate the shopkeepers and make an exhibition of the army's victory over the militants. In all this, the armed forces and the pro-army militants act together. In November 1995, there was an incident at Pampore town where Ikhwan-ul-Muslimoon counter-militants forced shopkeepers to open shutters during a bandh call given by the Hizbul Mujahideen. When the shopkeepers resisted, the Ikhwan-ul-Muslimoon men opened fire. The Army entered

on their behalf and they jointly indulged in gunfire and arson. Six civilians including two women were killed, and thirty houses and shops with goods worth crores of rupees were gutted.

At Anantnag town, J&K Ikhwan, one of the counter-militant outfits, did not allow the re-opening of shops that had closed in response to a Hizbul Mujahideen call for hartal last year. This led to a protest by the traders of Anantnag, who went on a strike for two months. Hurriyat Conference leaders Abdul Gani Lone and Shabir Ahmed Shah tried to mediate in the matter when they went to Anantnag on the occasion of the death anniversary of Qazi Nissar, the slain Mirwaiz of South Kashmir. But instead of accepting the mediation the counter-insurgents kidnapped Lone, who was later released.



CRPF men armed with Kalashnikovs and shielded behind sandbags, watch as voters line up at a polling booth in a school at Batmalloo in Srinagar

III The Prelude to Elections

One of the arguments offered by the Government of India in justification of its decision to hold polls in the valley is that the region was slowly returning to conditions of peace. This claim needs to be examined. That the Indian armed forces have succeeded in pushing back the militants to some extent is true enough, but this is not the same thing as the establishment of peaceful conditions. The level of violence, on both sides, was the same in the days immediately preceding the polls as it has been during recent years. In our previous report, *Blood in the Valley*, after analysing the pattern of killing during January-July 1995, we had concluded that there have been, on the average, 'more than 300 killings per month, or 10 killings per day', (page No.70). The days immediately preceding elections witnessed exactly the same level of killing. The statistics of death in Jammu & Kashmir during 1st April -23rd May 1996 (a total of 53 days) are as follows

Killed by armed forces	321
Killed by militants and surrendered militants	186
Killed in (real) crossfire	2
Not clear how killed	21
Total	530

530 violent deaths in 53 days is an average of 10 per day, which was the average for the first seven months of last year. Where, then, are the peaceful conditions? All other considerations

apart, is a situation where 10 persons are killed daily in violent incidents of armed combat conducive to the democratic exercise of electoral choice?

Incidentally, the statistics reveal a sudden spurt in the number of 'foreign militants' among those killed by the armed forces from 14 April onwards, i.e., as the day of polling neared. 8 foreign militants were killed on 14 April, 5 on 15 April, 8 on 16 April, 12 on 20 April, 16 on 21 April etc. adding up to a total of 106 upto 23 May. The largest number for a single day was 18 (17 May). Does this sudden spurt in the killing of 'foreign militants' indicate that 'Pakistan has sent 400 to 500 foreign mercenaries to thwart elections', as stated by the IG of the Border Security Force, Mr. Appasahib Ahir, in a press statement issued on 1 May? Or, since there is no independent agency to check on the J&K Administration's claim that a dead person is a 'foreign militant', does the sudden string of 'foreign' victims only imply that the Administration was keen to fabricate evidence to measure up to

"We are sandwiched between three guns" was the comment made to us by many people. One is the gun of the Indian armed forces; the second is the gun of the militant groups such as Hizbul Mujahideen; and the third is the gun of the counter-insurgents"

the claim that Pakistan has sent a posse of mercenaries to obstruct the polls? Indian authorities are usually upset by such suspicious 'pec

lations, but they alone are to blame, for they allow no independent verification of whatever they declare to be the truth about army operations in J&K.

Apart from the general level of violence prevalent in the valley, the team received specific complaints about election related violence, or threats of violence. 'We are sandwiched between three guns' was the comment made to us by many people. One is the gun of the Indian armed forces; the second is the gun of the militant groups such as Hizbul Mujahideen; and the third is the gun of the counter-insurgents.

Purported 'achievement' of the Indian Army

Before we go on to describe the pressure put on the people by each of these guns, we must clarify one point. It has been an important element of Indian propaganda that the Kashmiris are frustrated, tired, dejected, disillusioned, altogether quite vexed with militancy, and therefore ready to participate in elections and join the 'mainstream' of Indian politics. Apart from the objectionable way the word 'mainstream' is used as a synonym for compliance with the wishes of the Government of India, we need to address the question whether this assessment of the Kashmiri frame of mind is true, for that is the basis of the justification claimed by the Government of India for holding polls in the valley.

Almost all the people we spoke to expressed feelings of frustration and dejection. They appeared doubtful about the prospects of victory in the seven year old struggle. They were a little more critical of the militants than in the past. When asked whether it is true, as the Government of India claims, that militancy is on the decline in the valley, one Research Scholar of Kash-

mir University answered guardedly that 'quantitatively it has declined to some extent'. Perhaps he meant that the dead wood of insincere and uncommitted activists has been reduced, leaving only those who are of higher quality, or perhaps he meant that while the physical level of militancy has declined, the intensity of feeling for azaadi in the general public has not declined. This latter point was made more eloquently by an auto-rickshaw driver in Srinagar. He was tired of the endless turmoil that robbed him of his livelihood. He wanted to see once again the days when he would be called by customers even at midnight. He was doubtful about the realisation of the goal of azaadi because the Indian government will not talk to the militants and the militants will not talk to the Indian government. He was dejected and disillusioned about the militants' capacity to achieve victory. But when pressed whether, in case the goal is realisable, he would still want azaadi, he said "Hundred per cent mangte hai saab" (we want it a hundred per cent)

"What the Indian government and the plentiful analysts who fill daily columns on Kashmir in our newspapers do not-or will not-realise is that the dejection and tiredness of the Kashmiris is only about the prospect of realising their goal, and not about the goal itself"

What the Indian government and the plentiful analysts who fill daily columns on Kashmir in our newspapers do not-or will not-realise is that the dejection and tiredness of the Kashmiris is only about the prospect of realising their goal, and not about the goal itself. And they are dejected principally because of the Government of India's bru-

tal stubbornness, and not because they have 'realised their folly' as our newspaper editors tell us. There is little diminution of enthusiasm for and attachment to the goal of self-determination. It is really shameful that the Government of India has physically beaten down the Kashmiris to a state of frustration, and now gloats over the fact that they are tired, and tells the whole world that they now desire to join 'the mainstream', which means give up their demand of self-determination.

Even if it were true that they now desire to 'join the mainstream' in this sense, which does not really appear to be the case from what we could observe, this brutal way of achieving that change is not something to be proud of. A Colonel in charge of anti-insurgency operations in the Tral region of Pulwama district said to us that militancy is on the decline because "in cross-fires that took place during cordon and search operations, many innocent lives were lost, and therefore people are not giving shelter to militants as in the past". What he meant was that in cordon and search operations conducted by the armed forces, some young inmates would be taken away from the homes suspected of harbouring militants; they would be either tortured and killed in the Army's numerous interrogation centres, or else shot dead straight away. This is the barbarous method by which the Indian army claims it has broken the spirit of the Kashmiris, for which alleged achievement it is complimented not only by the likes of General Krishna Rao, the Governor of Jammu & Kashmir, but also by the sanctimonious editors and columnists of our newspapers who usually moralise at the drop of a hat. And this policy of suppression has been supplemented during the last nine or ten months by the policy of letting loose the counter-insurgents on the people. The terror this has struck

in the hearts of the people was supposed to 'soften up' the people of Kashmir and make them amenable to the holding of elections.

"It is our gun that has made elections and democracy possible in Kashmir", Ghulam Mohammed Lone alias Papa Kishtwari, the

*"It is our gun that has made elections and democracy possible in Kashmir",
Ghulam Mohammed Lone alias Papa
Kishtwari, the colourful and over-
weight Deputy Supreme Commander
of Ikhwan-ul-Muslimoon, said to us
when we met him at Pampore two
days before the polls."*

colourful and overweight Deputy Supreme Commander of Ikhwan-ul-Muslimoon, said to us when we met him at Pampore two days before the polls. He is at least more forthright than the Army spokesman and Governor Krishna Rao. If his supremo, Kuka Parrey, is to be believed, not only elections and democracy but also the territorial integrity of India, and 'the last remaining task in J&K', as former Prime Minister Narasimha Rao described it, that is to say the annexation of Pakistani J&K, will also be ensured by the Ikhwan-ul-Muslimoon's guns. 'Give me three months free hand, and I will rid the valley of all arms. Give me one more month, and I will liberate Azad Kashmir for India' said that gentleman in a public speech delivered on 21 April this year. The nature of the free hand he desires is easy to imagine.

Boycott call of the militants

It is in the background of this suppression-induced 'softening up' of the people that elections were held to Parliament in Kashmir. Eight militant organisations gave a call for boycott of the elections and made clear their intention to use violent methods to obstruct and disrupt the polls. They threatened to attack the candidates, their campaign, and their campaigners. The motorcade of Ghulam Rasool Kar, the Congress candidate at Baramulla, was showered with bullets on 23 April. All the candidates had to move around, when they at all moved around, under heavy escort. There were no major public meetings, but only small gatherings in street corners. Often the candidate would be seen making a speech to a street empty of all except some urchins and a couple of dogs, hoping perhaps that adult ears in the neighbouring houses would catch the loudspeaker's sound. A Congress candidate said to us that people listened attentively from inside their houses because they did not dare come out due to the militants' threats. This need not be dismissed as self-assuring imagination. While the people's aversion to elections

was quite widespread, that cannot be cited as the only reason for the failure of the election campaigns of the candidates. The threat of the militants, who were all-powerful until recently, and are even today a major force to reckon with, notwithstanding the Indian army's success in pushing them back to a certain extent, must have weighed heavily on the minds of the people. That the militants' call for boycott coincided with the opinion of a large number of people in the valley is no reason for condoning these violent threats of disruption. They are undemocratic and condemnable as interfering with the people's right to choose, notwithstanding the fact the militants do represent the common Kashmiri aspiration for self-determination.

Of all the candidates, it was only those sponsored by the counter-militants that could hold campaign meetings with some success. Since the presence of these candidates supported by counter-insurgents is one of the reasons for regarding the recent polls in Kashmir as a farce, we must speak in some detail about this phenomenon.

The 'game plan'

As soon as polls were announced, the counter-militant groups set up political formations: Kuka Parrey's Ikhwan-ul-Muslimoon set up the J&K Awami League and nominated three candidates for the three constituencies in the Valley; Hilal Haider's J&K Ikhwan set up the J&K Awami Conference and nominated a candidate for the Anantnag seat; Ghulam Nabi Azad's Muslim Mujahideen set up the People's Patriotic Front and nominated a candidate for Anantnag, and other counter-insurgents supported candidates without forming political parties. This was not

"The threat of the militants, who were all-powerful until recently, and are even today a major force to reckon with, notwithstanding the Indian army's success in pushing them back to a certain extent, must have weighed heavily on the minds of the people."

"If the army's guns and the counter-militants' guns together succeed in getting a decent percentage of votes polled, thereby giving 'victory' to the Government of India in its efforts to hold polls by hook or by crook, then it can go on to hold polls for the Assembly too, and demonstrate to the world that the Indian State still has its way in Kashmir"

their own decision, but part of the Army's 'game plan' (in the words of an articulate campaigner for the Congress' Srinagar candidate, Ghulam Mohammad Magami) for the successful completion of the polls. Magami, who has since been elected M.P. from Srinagar, added that in Anantnag Constituency, the Rashtriya Rifles was seen hoisting the flag of Kuka Parrey's party.

The 'game plan' is to introduce a criminalised political force into the electoral arena, with the hope that it will succeed in breaking the poll boycott. If the army's guns and the counter-militants' guns together succeed in getting a decent percentage of votes polled, thereby giving 'victory' to the Government of India in its efforts to hold polls by hook or by crook, then it can go on to hold polls for the Assembly too, and demonstrate to the world that the Indian State still has its way in Kashmir. The holding of elections has thus nothing to do with the empowerment of the will of the Kashmiris, which is in theory the purpose of elections in Parliamentary democracy, but is part of a political-military strategy which is spoken of in terms of 'victory' over Pakistan's machinations, 'defeat' of the designs of the separatists, 'checkmating' the Hurriyat Conference, 'tactical' gain in the proxy war, and so on - all of them expressions used by the Indian government

and Press to describe the 'victorious' conduct of elections in Kashmir. To criminalise the political life of a people for strategic gains in a war waged principally against the aspirations of those people, though in the name of the evil designs of a neighbouring country, and to top it by asking the very same people to swallow it all in the name of democracy is nothing short of a parody of democracy.

This 'game plan', then, was devised and set in motion as soon as elections were announced. Soon Kashmiris started witnessing the strange spectacle of candidates going around asking for votes, accompanied by armed youth with a criminal record, carrying unlicensed weapons and carefully watched over by protective army men in uniform. Later in the day, the same campaigners may well be found lynching and killing a Jamaat activist or a Hizbul Mujahideen supporter. As Papa Kishtwari, Deputy Supreme Commander of Ikhwan-ul-Muslimoon, who was supervising the campaign of Shuban Kishan Tickoo, the Anantnag candidate of Kuka Parrey's J&K Awami League, said to us: 'I campaign during day time and conduct operations at night'. He added that he had deputed 32 surrendered militants (armed, of course) to go to different booths to 'give courage to people to vote'. That sounds innocent enough, but it means something else when a former militant carrying an automatic weapon comes to your house, with an army man hovering in the background, and directs you to come out and line up at the polling station, or else....

Counter-militants' campaign techniques

One of their cavalier methods of campaign was to hijack the State Road Transport Corporation buses at gun point and force the hapless passengers to be audience at their election meetings

The Congress candidates soon became suspicious that the Army would prefer the counter-militants' candidates to win the elections. In fact, most people in the valley believe that it is

"For the present, we need to record the apprehension expressed by Ghulam Rasool Kar, Congress candidate for Baramulla, who told the Press that the elections were a contest between "the Congress candidates and the Army's candidates". "

part of the Army's 'game plan' to see that a counter-insurgents' government is installed in Srinagar, and what happened at the Parliament polls was only a dress rehearsal for the main act. If that transpires, that will be the most obnoxious spectacle that Indian democracy has presented to date.

However, that is in the future. For the present, we need to record the apprehension expressed by Ghulam Rasool Kar, Congress candidate for Baramulla, who told the Press that the elections were a contest between "the Congress candidates and the Army's candidates". This Congressman, who eventually succeeded in defeating "the Army's candidate", should also have reflected upon the propriety of the role the Army was playing and not just at his own electoral prospects. But then it was reported that his own campaign was aided by some counter-militants. His first public meeting at Baramulla was held with the aid of some counter-militants. And a campaign meeting at Kupwara on 20 May was attended, according to Press reports, "by twenty or thirty gun-wielding youth".

Perhaps because Kar was not above using the

counter-militants, he was not too vocal in condemning the phenomenon. But his colleague Taj Mohiudeen, the Congress' Anantnag candidate, was evidently driven to desperation at the sight of his armed rivals evidently enjoying the good wishes of the all-powerful Army. After his public meeting at Dayalgam on 15 April was attacked by a rocket fired by counter-militants, he declared in desperation that he would withdraw from the polls if all the counter-militants were not disarmed. Later he demanded that they should all be jailed, or else he would immolate himself at Lal Chowk in Srinagar.

Even the Janata Dal candidate of Srinagar, Farooq Indrabi, whom we found most amenable to the Government of India's way of looking at and doing things, said that all the counter-insurgents should be disarmed before polls.

The *Kashmir Times* commented editorially on 2 May that "the freedom allegedly enjoyed by the heavily armed Ikhwan-ul-Muslimoon's political wing" has given rise to the suspicion in the Pradesh Congress Committee that "The State administration of J&K is hostile to the Congress". Interestingly, it was also the assessment of a senior academic at Kashmir University that 'the Government of India wants neither the Congress nor the National Conference but the renegades to win'. The point here is not that the Army or Governor Krishna Rao's administration wished for the victory of one set of candidates rather than another. They were at liberty to do so. The relevant point is that candidates supported by armed youth freely indulging in violent activity and protected by ever present army men in two were not only allowed to contest the polls but were made known to be the Army's favoured men. If Assembly polls are held, this scenario will no doubt repeat itself. It is as if, in a city

such as Bombay, mafia gangs were allowed to designate themselves political parties, set up candidates, and openly use terror and violence with the police looking on to commandeer votes for themselves. Nobody would call it democracy if it happened in Bombay, but it is not only called democracy but actually a victory for democracy when it happens in Kashmir.

Press freedom muzzled

Next, the methods adopted by the armed forces to put pressure on the people to participate in the elections must be narrated in detail. A large force of the army and paramilitary was moved into the valley to ensure successful polling. According to an Army spokesperson, 450 companies of armed personnel, which means around 50,000 men, were moved in. This, of course, is in addition to the (estimated) three lakh forces already present in the valley by the time the election process began. The armed forces first of all wanted to silence all voices opposing polls in the valley. As the Kashmir Press is by and large sympathetic to the aspiration for self-determination, and gives prominence to the statements of the militant organisations as well as reports of army atrocities, the J&K administration to begin with issued a circular prohibiting the Press from publishing 'objectionable material', by which they meant the statements issued by militants or other news items critical of the elections. The Hizb-ul-Mujahideen then retaliated by issuing its own dictat to the Press not to publish the statements or even advertisements of the Administration.

The Kashmir Press then decided unanimously to cease publication. All paper published from the valley stopped coming out from 21 April onwards. Papers from outside the valley continued to come in, but as they land in bulk at

"Whatever the mechanism adopted, the intention of the authorities was clear: the Press being the only effective means of communication available to the critics of the Government of India's attempt to hold elections by force in Kashmir, the administration effectively saw to it was muzzled."

Srinagar by flight, the Administration could and did seize the whole bundle whenever the day's paper contained 'objectionable material'. All copies of the Urdu daily *Awaam* were thus seized at the Airport on 11 May, all copies of *Kashmir Times* (English) and *Dainik Kashmir Times* (Hindi) were seized on 12 May and again on 18 May, and all copies of the *Tribune* were seized on 13 May. As the *Tribune* is read outside J&K too, the authorities thought it prudent to buy the whole lot rather than seize them as they did with the other papers. Whatever the mechanism adopted, the intention of the authorities was clear: the Press being the only effective means of communication available to the critics of the Government of India's attempt to hold elections by force in Kashmir, the administration effectively saw to it was muzzled

Attempts to end the hartal by force

The next move was to defeat all attempts by the people of Kashmir to express their resentment at, and opposition to, the forced elections. The militants gave a call for what they called 'lock out' of all government offices from 13 May onwards, and for total bandh or hartal in the valley from 21 May. The lock out and the bandh were to go on till 30 May, the day the polls in the valley would be completed. Such a prolonged hartal was no doubt inconvenient for the people - especially the daily wage labourers, the

petty traders and the self-employed. When we asked Hurriyat leaders about this, they answered that the people must suffer for the cause, thought it was apparent that some people suffered more than others.

Whatever the inconvenience caused by prolonged hartals there is no denying the determination of the people to express their resentment at the farce of elections. The dominant mood in the valley was one of resentment at the Indian government's insistence on holding elections at any cost. And therefore it comes as no surprise that the prolonged bandh was near total, day after day, in all parts of the valley. The Indian armed forces and counter-militants did their worst to force shops to open, and the employees to attend duty. The justification offered for the use of force was that the militants were enforcing the bandh at gun point. It is quite true that anyone who wilfully violated the bandh or strike call would have run the risk of offending the militants. For instance, we found that an auto-rickshaw driver who was willing to ply his vehicle in the upper middle class localities of Srinagar was totally unwilling to venture into

"Yet, while this pressure on people to abide by the dictats of the militants is reprehensible, it must be stressed that the call for protests had wide support in the valley and to a large extent the strike and the bandh were spontaneous and voluntary."

what is called 'down town' Srinagar, the thickly populated residential locality in which sympathisers of militants and their shelters abound.

Yet, while this pressure on people to abide by the dictats of the militants is reprehensible, it must be stressed that the call for protests had wide support in the valley and to a large extent the strike and the bandh were spontaneous and voluntary, notwithstanding a certain amount of unhappiness at the inconvenience it caused. Not only in this matter, but in all matters concerning Kashmir, the Indian government has been taking unjustified shelter behind the militants' violence to justify its heinous efforts to deny the aspirations of the Kashmiris, and its resort to brutal force to break their resolve. This is a point that cannot be stressed too often, for it can easily be missed in the noise made by official propaganda about separatist violence in Kashmir

The militants' 'lock out' of government offices began on 13 May. It is perhaps significant that the seizure of copies of *Kashmir Times* and *Dainik Kashmir Times* took place on 13 May, and the bulk purchase of all copies of the *Tribune* took place on 14 May. The authorities offered no explanation as to what exactly was objectionable about the seized issues, but it is quite likely that what they found objectionable was some write-up on the impending strike of government employees. The armed forces and counter-militants threatened the striking employees. On 20 May the Tahsildar of Kupwara, Firdous Ahmed Raina, was arrested because 'he had not attended office'. He was released the next day, but a taxi hired by the Army went round the town announcing through a loud-speaker that those employees who did not attend work 'would face the worst'. Seventy three State Government employees arrested in Kupwara. It was reported that in the State Secretariat, only Kashmiri Pandits and non-Kashmiris attended duty. Pressure was also brought to bear upon the Administrative authorities of Kashmir Uni-

versity to force its offices to work.

From 21 May onwards, the general strike of the valley started. There was some confusion whether it was to start on the 20th itself. As all the valley papers had closed down, there was no way that the militants could communicate their decision to the people. On the 20th, as shops were opening hesitantly, at about 10 a.m., an explosion went off at Lal Chowk in Srinagar injuring 6 J&K police constables. This was taken as communication that the bandh was to start that very day, and most of the shops in Srinagar closed down. From 21 May, the strike was total. In Kupwara, Anantnag and Pulwama the army forced shopkeepers to open their shutters. In Kupwara the Special Operations Group of the Indian Army went around in a taxi fitted with a loud speaker threatening shopkeepers that they had better open their business.

"From 21 May, the strike was total. In Kupwara, Anantnag and Pulwama the army forced shopkeepers to open their shutters. In Kupwara the Special Operations Group of the Indian Army went around in a taxi fitted with a loud speaker threatening shopkeepers that they had better open their business. In Tral in Pulwama district, army men fired in the air to scare the shopkeepers and broke open some locks."

In Tral in Pulwama district, army men fired in the air to scare the shopkeepers and broke open some locks. Tanvir Ahmed of Tral told us that the three locks on his shop were broken and he was forced to open. To add to the harassment,

Ikhwan-ul-Muslimoon cadre came along and told the shopkeepers to fly their Party's flag on the shops. The next day, in Anantnag, armed youth broke into closed shops and looted them, as the army looked on. In Kupwara, the scene of mike-fitted taxis of Special Operations Group was repeated, except that this day they were saying that 'those who close today will have to keep their shops closed forever'. As a consequence, there was a strange sight in Kupwara: shops were open, but they did not transact one paisa of business, because no customer went to the shops. But in Baramulla district, not a single shop opened inspite of identical threats. In Baramulla, the armed forces resorted to a tactic that we have already referred to. They pressurised the known supporters of the Jamaat-e-Islami among the shopkeepers to open at gun point, as an act of vengeful humiliation. The success in making them defy the bandh called by the militants was a mark of the Indian army's victory over the secessionists. About 25% of shops thus opened in Baramulla.

Vote or 'face the consequences'

Apart from these crude attempts at strike-breaking, the armed forces issued repeated threats that all people must participate in the elections. Those who boycotted the polls would 'face the consequences'. This was repeatedly told to us by people in the three valley constituencies, Baramulla, Anantnag and Srinagar. In a Press Release issued on 4 May, the Hizbul Mujahideen alleged that the armed forces were threatening the rural people that if they did not vote, 'they would not be allowed to go for agricultural operations'.

Why did the Army want everyone to vote? After all, notwithstanding the sizable support to the boycott call, there was a section of the people

in the valley (apart from the emigrant Pandits) who would voluntarily participate in the polls, and Indian electoral rules do not prescribe any minimum participation of voters to validate an election. But a Congressman explained (with approval) what appear to have been the considerations that weighed upon the Army's mind in deciding to threaten people into voting on pain of violent consequences. One is that the Congress or National Conference supporters, who would like to vote, "would be about three to four families". They would not dare to go out to vote except in the 'anonymity of a herd'. So the villagers "will have to be herded" by the Army to protect the voluntary participants from retaliation by the militants. The other argument is that a low poll percentage would mean a "loss of face" which India could not afford. He said that even in the past, the Congress or National Conference indulged in rigging to bolster the voting percentage and thereby defeat the propaganda value of the boycott call given by the 'secessionists'. As for democracy, he added that in J&K democracy should never be stretched too far, for

"It has consistently been the fear of Indian rulers that allowing democracy in J&K is tantamount to letting the State secede from India."

that will mean giving in to the azaadi or pro-Pakistan forces'. He could not have put it in plainer language. It has consistently been the fear of Indian rulers that allowing democracy in J&K is tantamount to letting the State secede from India.

The All Party Hurriyat Conference leaders who undertook a campaign for boycott of polls, were

made the target of repeated attacks prior to the elections, until they decided out of sheer fear for their lives to give up their public campaign. We have already spoken of the repeated attacks by grenades and rockets upon the houses of Lone and Geelani. On 9 May the Hurriyat Conference leaders were campaigning for boycott of polls at village Bomia near Sopore in Baramulla district when some counter-militants came with weapons and opened fire to disturb the meeting. According to Yasin Malik (who was present there along with Syed Ali Shah Geelani, Abdul Gani Lone, Prof Abdul Gani Bhat and Javed Mir), the local police disarmed the militants, but the armymen then moved in to beat the policemen and take away the seized guns. They even manhandled and beat with rifle butts Abdul Ahad Wazad and Abdul Gani Lone, the latter of whom lodged a complaint with the Sopore police. As the Hurriyat leaders were then returning to Srinagar, there was an explosion at Pattan that hit their car and damaged it.

Two days later, on 11 May, as the Hurriyat leaders were proceeding along with a large number of people to Charar-e-Sharief, which was burnt down during 8-11 May last year, to lay the foundation stone for rebuilding the gutted shrine of Nooruddin, two land mines exploded near their caravan, and a State Road Transport bus going along the way was hit and partially damaged

On the 13 May, that is to say, two days later, there was an explosion at the Rajbagh office of the Hurriyat Conference in Srinagar. It damaged a wall of the main building, and the water supply system. On 14 May an explosive was found under the stairs of that building and defused by the local police.

IV The Day of Polls

May 23 dawned identically all over Baramulla and Anantnag constituencies. In village after village, punctually at 6 am, and in some cases even earlier, the armed forces made an announcement from the loudspeaker of the village mosque that all people should immediately leave their homes and line up to vote at the polling booth. It did not matter if they had not had a wash. And it certainly did not matter if they had no desire to vote.

Having made the announcement, the armed forces later went from house to house to drag people out. They were told that later in the evening, after the polls were over and the Press people had all left, there would be a crackdown in the villages, and those who were found to be without an ink mark on the finger would 'face the consequences'. We visited Hathiwara and Awantipora where men of the Army had dragged people out of their homes; at Bijbehara it was the Rashtriya Rifles accompanied by Ikhwan-ul-Muslimoon militants that did the job. This was preceded by gun shots fired and a searchlight focussed on the village at 3 am; at Barus it was the CRPF that forced people out; at Jobera, the Army forcibly loaded people into four trucks and took them to the polling booth. At Delina in Baramulla it was the BSF that was in charge. The BSF was seen beating and dragging reluctant women to the polling booth. At some places the armed forces were accompanied - in some places even substituted - by the counter-militants in executing this early morning operation. At Dangarpura near Sopore, Kuka Parrey's men raided the village early in the morning with guns,

and forced people to come out and queue up. At Baramulla and Sopore towns, some people said that the armed forces collected their identity cards the day before the polls, saying that the cards would be returned the next evening

"Any Kashmiri Muslim caught without an identity card is liable to be dragged to an army interrogation centre and forced to prove to the army's satisfaction that he is not a Pakistani or Afghan militant. Or else, he can become one more 'infiltrator killed in a shoot out while trying to cross the border'."

only if their fingers carried the ink spot that signifies that they have voted. To appreciate the seriousness of this threat, it is necessary to realise the indispensability of an identity card for Kashmiris. Any Kashmiri Muslim caught without an identity card is liable to be dragged to an army interrogation centre and forced to prove to the army's satisfaction that he is not a Pakistani or Afghan militant. Or else, he can become one more 'infiltrator killed in a shoot out while trying to cross the border'. At Pulwama, a district headquarters town in the Anantnag constituency, people said they were not only forced to come out but also beaten and taken to the polling booth. Press persons going from Srinagar to Anantnag early in the morning were stopped near Pampore on the highway for half an hour for no reason and with no explanation offered. They

latter guessed that the operation of dragging people out of their homes and forcing them to line up at the polling booths was going on, and the army did not want Press people to see it.

At some place in Baramulla constituency, the armed forces forced even those whose names were not in the voters lists to come out. There were two lines at some polling stations, one for those whose names were listed in the voters list, and the other for those whose names were not. Both of them had to have the ink mark on the finger.

The ink spot, which in election procedure is merely proof that the person has already voted and cannot vote again, got strangely transformed in Kashmir into a mark of loyalty to India. Vote or no

"To make things more explicit, at a polling booth in Delina in Baramulla constituency, those whose names were not in the voting list and who had yet lined up loyally, had 'nil vote' written in ink on the forearm and signed by a BSF officer!"

vote, you had to have the ink spot on the finger as a sign that you had 'joined the national mainstream'. To make things more explicit, at a polling booth in Delina in Baramulla constituency, those whose names were not in the voting list and who had yet lined up loyally, had 'nil vote' written in ink on the forearm and signed by a BSF officer!

The people did not take all this lying down. At Bundayalgam in Anantnag Constituency, people said to us that they would make 'them' (i.e., the Army) wait till evening to have the satisfaction of seeing their votes in the box, as a mark of protest. At Kadabal in Pulwama district, women forcibly dragged out of their homes said they would not

vote, come what may. There were protest marches and demonstrations at some places even as the polling was going on, especially in Baramulla constituency. There was a dharna in Handwara, and quite sizeable demonstrations in Baramulla and Sopore towns. Large numbers of people marched and raised slogans denouncing the army and demanding azaadi. The marchers were lathi-charged and teargassed. At Sopore the army threatened to burn down the town (which has already been burnt down many times in the past). Photographers of AP (John Moore) and AFP (Tauseef Mustafa), and the correspondents of AP (Qaiser Mirza), Reuter (Sheikh Mushtaq), and VOA (Michael Drauj) who were covering the events at Baramulla were hit and the photo rolls forcibly removed. Photo rolls of Shumatsu Ghosh of *India Today* were also removed when he tried to click an army man dragging a voter to a booth. At Kadabal, the reporter for *Telegraph*, Mukhtar Ahmed, was pushed out of the polling booth though he had an Election Commission accreditation. On the outskirts of Anantnag town, armed youth threatened journalists to leave the town fast or else face dire consequences. At Anantnag, from 2.30 in the afternoon, people were tense and unwilling to speak to Press persons. They were evidently apprehensive of what would happen after 5 p.m.

At Gowripora in Baramulla district, armed forces opened fire on demonstrators who tried to storm the polling booth in protest against forced polling, and a four year old boy named Riaz Ahmed died of a bullet injury. At Muchpora in Pulwama district, as soon as our vehicle entered the village, the people who had been forced to gather at the polling station moved towards us shouting slogans for azaad.

which included old men, women and children. Two trucks were parked outside in which people were got to the polling booth. They complained that the army had beaten them very badly in the course of forcing them to line up at the polling station. The Imam of the local mosque was limping badly. As we were moving out of the village we saw the CRPF men guarding the polling station getting ready to lathi charge them once again, and some youth in the crowd taking up sticks to hit back. There was lathi charge on demonstrators at Langhet Ujroo, injuring quite a few

At the Press Conference held by Chief Secretary of J&K, Ashok Kumar, on the evening of 23 May at Srinagar, press persons who had seen (and in some cases physically experienced) these incidents questioned him with concrete instances of force used upon the people. He bluntly denied everything with the stock answer: "My information is otherwise". Asked about the protest demonstrations by the people, he said they were all pre-planned and stage-managed and threatened quite openly that he knew who had arranged the demonstrations and would take action against them. Perhaps it requires a specially perverse way of looking at things to see a conspiracy in a planned demonstration against injustice.

"At Delina we saw a BSF man holding a voters' list in his hands. When we asked him what he was doing with it he coolly replied that he was checking who had voted and who had not, as if it was his job to keep a check on voter absenteeism."

While it was repeatedly said by the J&K Administration, and reiterated by an Army spokesman

in his last pre-poll Press Conference at Srinagar on 22 May, that the only duty of the armed forces was 'to give courage to the people to vote', in truth, the armed forces were practically conducting the polls. They were all over the polling stations, inside as much as outside

"In quite a few places, men of the armed forces were 'helpfully' stamping the ballot paper for the voter and putting it in the box. The secrecy essential for fair voting was absent in many booths, as either the men of the armed forces or the counter-insurgents were observed looking on at what the voter was doing with the ballot."

At Kupwara there were 'more army men than voters' in all the polling stations, according to a report in the Press. At Delina we saw a BSF man holding a voters' list in his hands. When we asked him what he was doing with it he coolly replied that he was checking who had voted and who had not, as if it was his job to keep a check on voter absenteeism. In Pattan in Baramulla constituency we saw counter-militants supporting the J&K Awami League candidate moving around in an Army vehicle. In some places such as Chajkoot in Anantnag constituency, army men were seen inking the voters' fingers and then sending them away and casting the ballot on their behalf. In many of the polling booths, none of the contestants had poll agents. Only the men of the armed forces and the poll officials were seen. In some places, however, there were quite a few unauthorised youth inside the station, who turned their faces away when Press photographers tried to click them. In quite a few places, men of the armed forces were 'helpfully' stamp-

ing the ballot paper for the voter and putting it in the box. The secrecy essential for fair voting was absent in many booths, as either the men of the armed forces or the counter-insurgents were observed looking on at what the voter was doing with the ballot.

Bizarre apologies

Subsequent to the publication in the Press (especially the Western Press) of news of the force used upon the people to make them take part in the polls, the defenders of the Government of India have come out with a strange argument. It is said that if the Army wanted to get votes polled by force, it could have got all the votes polled, and not just 30 to 40 percent. It has also been said that the voting percentage would not have been so uneven if force had been used. This explanation is proffered not only by the J&K Administration and Army, but also newspaper editors, columnists, and the Chief Election Commissioner of India who has gone on record certifying the elections as proper and fair without conducting any enquiry into the published allegations. This is a ridiculous argument. When we are objecting to the violation of a basic principle of democracy, that to not vote is as much a right as to vote.

"In one place we were told humorously by the people that they were determined to please everyone. The Army wanted them to vote, and so they would vote. Each candidate wanted them to vote for him, and so they would stamp the vote in favour of each of the candidates. That would make the vote invalid, which would please the militants who wanted them to boycott the elections!"

We are not thereby issuing the Army a certificate of efficacy in getting its undemocratic dicta implemented. That achievement depends not only on the intentions or power of those issuing the threats, but also on the determination of the people subjected to the threats. This varies from case to case, village to village, region to region. That the people were angry with the threats and force used upon them is a fact which everyone who was there observed. Some succumbed to the threats. The majority resisted. Some declared that they would make the votes invalid to spite the Army. In one place we were told humorously by the people that they were determined to please everyone. The Army wanted them to vote, and so they would vote. Each candidate wanted them to vote for him, and so they would stamp the vote in favour of each of the candidates. That would make the vote invalid, which would please the militants who wanted them to boycott the elections!

As it turned out, the proportion of invalid votes was not spectacular, but quite significantly higher than the national average, which should by itself have made the Chief Election Commissioner ponder the propriety of the poll exercise 'successfully' conducted by him. The number of invalid votes was 22,000 in Baramulla (7.5% of the polled votes) and 10% of the votes polled in Srinagar. The country's average of invalid votes in elections to Parliament is variously reported in the Press as 2.5 % or 3%. That is to say, more than three times the average proportion of votes were invalid in Kashmir.

Even as regards the percentage of votes polled there was variation from locality to locality. Downtown Srinagar polled only 9% which means that the mass of the state's capital vehemently rejected the polls, in spite of the

heavy presence of armed forces in the besieged city. Shopian, Wachi, Rajpora, Lolab, Handwara, Sopore, Kupwara, Baramulla and Gulmarg recorded between 20 and 25 percent voting. Most of these are familiar names as centres of militancy and repression for the last seven years. At the other extreme, the only area that polled more than 60% was Uri on the Pakistan

border in Baramulla district. People of Uri have lived under army occupation not only during the last seven years but ever earlier. They have suffered terribly at the hands of the Army. There the civilian population is heavily outnumbered by the Army, and dependent upon the Army for even its day to day requirements of food and fuel.



Bullet VS Ballot : Kashmiris protesting against parliamentary elections being held in the valley run for cover after security forces started firing in the air to disperse the crowd in Baramulla (AFP)

'Army treats all Kashmiris as terrorists'

Since the role of the Indian armed forces is described in terms of 'giving courage' to the people of Kashmir, it is necessary to keep in mind the terror which the armed forces represent in the valley. One can quote hundreds of incidents from the past, but here is an incident that happened while our team was in the valley, and was narrated to us by Mehmood Bedar, journalist, who also happens to be a member of the affected family and thereby an eye-witness.

Pattan is a small town on the Srinagar-Baramulla highway. It has a heavy presence of the armed forces. At the time of the polls the town was under the control of the Garhwal regiment of the Army, and on the neighbouring hills were stationed BSF and CPRF men. On the morning of 20 May there was a loud noise which was latter attributed to the some boom of a flying jet. But at that time the BSF and CPRF men on the hills thought that the militants had let off an explosive in Pattan. When the CPRF men on the hills heard the boom, they immediately fired in the direction of the house, a nearby bunker fired back thinking they were being attacked. Neither of the two forces thought it fit to investigate, the source of the firing but insisted that both the bullets of firing came from the Bedar House. They came down from the hill and went straight to the house of Ghulam Kadir Bedar, for they supposed in their wisdom that the explosion and firing had emanated from there. Bedar, incidentally, was thrice elected to the J&K Assembly in the past; one brother of his, Mohammed Ashraf Bedar is a DIG in the J&K police and a son Javed Riaz Bedar is DSP. Aijaz Bedar (Advocate), Sohail Bedar (Engineer) and Mehmood Bedar (journalist) are his other sons. The evident status of the family did not deter the men of the armed forces from pouncing upon the house. They pushed around the women and destroyed household property. They caught hold of Aijaz Bedar, advocate, and beat him mercilessly. The Garhwal regiment men came there in the meanwhile and claimed that it was their privilege to conduct such 'enquiries' in the tow, and asked the BSF and CPRF men too hand over Aijaz to them. They took him to their camp and beat him so badly that he later started passing blood in this urine. In the BSF camp he was also severely beaten by a mob of election duty officials. (Who have been bought from outside by the government to do election duties as the J&K government employees were on strike) Sohail, the Engineer, was also thrashed and made to stand against a wall, a gun was aimed at him, repeatedly with the threat of shooting him. The women members of the family cried and wept to save him. Then an officer of the Garhwal regiment came there and said they would verify the source of the morning's sound, and if it turned out to havae caused by the militants, Aijaz would be killed. Fortunately, he realised that it was the boom of a jet flying in the skies, (and the thing was from their own forces and let off Aijaz). He was admitted to the General hospital at Srinagar, but his shattered family, presumably, had to go along and vote like everybody else on 23 May in proof of the official truth that peace has descended in the valley and the people are 'joining the mainstream' with the aid of the reassurance and courage given to them by the benign armed forces of India.

V Conclusion

Now that the Parliament polls have been 'successfully' held, say many people in India, the Government should proceed to soon complete the Assembly polls in J&K. This is the opinion of not only J&K's Governor Krishna Rao, but of practically every newspaper editor and all political parties in India. The United Front government and its Leftist allies have also expressed the same opinion in their Common Minimum Programme. They have declared that J&K is an inalienable part of India (which is exactly what the Kashmiris have been disputing), but add that they will give more autonomy to the State (without specifying whether this means restoration of the pre-1953 position) and affirmed that Assembly elections will definitely be held in J&K (which the overwhelming majority of Kashmiris do not want). And yet this government is the one that talks most about democracy and justice.

Contrary to the official and unofficial propaganda that the Kashmiri struggle is one of mindless violence, one regularly hears the opinion expressed in Kashmir that the gun is no solution to the political dispute concerning Kashmir's status.

First, it is important to remember that since accession Kashmiris have been demanding the plebiscite the Government of India had promised to determine the status of Kashmir.

Secondly, today the modality proposed by the All-Party Hurriyat Conference, the umbrella organisation of Kashmir forces fighting for secession from India, has been unconditional tripartite talks between India, Pakistan, and Jammu and Kashmir. (It should be recalled that part of J&K is under Pakistani occupation.) According to their proposal, not only the Hurriyat, but all the different communities, ethnic groups and political opinions prevalent in J&K would have to find place at the negotiations. They say that if India and Pakistan agree for unconditional negotiations and if elections are held in the whole of J&K under neutral dispensation to elect a delegation to represent J&K at the negotiations, they would gladly participate in the polls.

Whatever be the modality, the salient point is that the Kashmiris are insisting on their right to determine their own future. Ignoring any proposals by Kashmiri organisations to resolve the Kashmir dispute the proposal to hold Assembly polls denies the dispute and invites the Kashmiris too to forget the dispute. That is unfair and undemocratic.

Apart from being undemocratic in principle, given the nature of the political dispute underlying the Kashmir problem, the attempt to hold Assembly elections in J&K is likely to see magnified repetition of what has been reported above. It is likely to be magnified because, on the one hand, Assembly polls represent an opportunity for local power and therefore the army-sponsored militants are likely to push harder for victory, and on the other hand, it is a matter of greater prestige for the Government of India to force the people of J&K to elect a government in the State than to get three Parliament members elected.

We, therefore, demand that the newly elected United Front government of India give up the idea of holding Assembly elections in J&K, which can only be by force used against widespread popular opposition to the elections in the valley. To end the repression of the armed forces, specially the Rashtriya Rifles, disarm all counter insurgents and take action against those found guilty of offences. We finally call upon the people of India to put pressure upon the Indian rulers to abide by the above demands.

We also demand that the Government concede that the accession of Jammu and Kashmir to India was not final, and that the people of J&K have a right to decide their own future. Recognizing that this is the root of the problem in J&K, it should start unconditional dialogue to discover ways of solving the dispute in accordance in the aspirations of the people of J&K.



STOP PRESS

TUESDAY JULY 9 1996

THE INDIAN EXPRESS MUMBAI

21 abducted journalists freed after 10-hour-long drama

by Aasha Khosa

SRINAGAR, July 8

TWENTY-ONE Srinagar-based journalists, who were held hostage for ten hours by a pro-India militant organisation in Anantnag today, were freed after intervention by Army troops late in the evening.

All the 21 journalists and camerapersons representing national and international agencies and television networks reached Srinagar safely by 9 pm.

The journalists had been taken hostage by Jammu and Kashmir Ikhwan, a pro-India counter-insurgent group to settle their dispute with local newspapers about "partisan coverage" of their organisation. The outfit had sought the presence of all editors of Srinagar-based newspapers at their headquarters for setting the journalists free.

According to BITV correspondent, George Joseph, the militants waylaid them near Achabal when they were going to attend a press conference of the leader of another pro-India group Muslim Mujahideen, Ghulam Nabi Azad. The militants took Joseph and his cameraman Maqbool Sahil to the Anantnag headquarters of the Ikhwan.

Other mediapersons who were travelling in the chartered bus were stopped at Anantnag itself. They said they were treated well by their captors,

who had divided them into two groups — those representing non-local media and others from Srinagar and Kashmir based publications. While the Ikhwan leaders were ready to release the former, they were adamant about not letting the others go till their demands were met.

Editors of various Srinagar dailies had earlier refused to concede to the Ikhwan's demands and sought intervention of the government in securing release of their colleagues.

Finally at 8 pm, Army troops reached Ikhwan headquarters on the town's outskirts and managed to persuade the militant leaders to set all the journalists free. Sources said the Army intervened following pressures from New Delhi to end the hostage drama which had caused tremendous embarrassment to the government.

Hilal Haider, leader of the group said the mediapersons had been let off since they were mere reporters and had no say in deciding their party's coverage in the press. He said they were looking for a meeting with three Srinagar-based editors for discussions on their attitude towards the coverage of their organisation in the newspapers.

The Ikhwan group has been largely successful in wiping out pro-Pakistan groups from South Kashmir's Anantnag township and surrounding areas. It had also sponsored candidates for the recent parliamentary elections and had floated a political party called the Awami Conference.

ANNEXURE : COUNTER - INSURGENT OUTFITS: A PROFILE

(People's Rights Organisation, New Delhi)

The biggest news of 1995 was the emergence of counter-insurgent outfits in Kashmir. Over 1000 militants have surrendered before the security forces during the last seven years. Most of them are working with different security agencies, mostly with the newly introduced Rashtriya Rifles (RR). They function in three different ways. In hundreds of cases, these ex-militants are guided by security forces in anti-militancy operations. Then there are individuals planted by the intelligence agencies within the active militant outfits. And the third species is in the form of organised groups like

Muslim Liberation Army (MLA)

MLA is the oldest counter - insurgent outfit operating in the Warsun peripheral belt in the border district of Kupwara, 21 kms from the Line of Actual Control. It is a Gujjar outfit founded and led by Choudhry Jalaluddin, 53. Initially it was the National Liberation Army (NLA), with its headquarters at Muzaffarabad. However, after its leader escaped an assassination bid and one of his close associates was killed by another outfit, Al - Barq, in inter-group clashes, the Choudhry overnight changed his loyalties and changed the name of his outfit to MLA. It started its fight against the Al Barq group in association with the army and killed a number of its activists. The Al Barq retaliated and killed a number of its members besides eight close relatives of Choudhry. The outfit organised a number of surrenders in the area, mostly in the presence of former Internal Security Minister Mr. Rajesh Pilot. He later provided a few vehicles and a telephone connection to the outfit. The number of members in MLA increased from less than a dozen in 1992 to over 100 today.

The MLA has used every third degree method to arrest and kill the militants and their sympathisers. Choudhry is involved in numerous killings of civilians and robbery.

Choudhry has now announced he wants to be a Congress (I) worker. J&K PCC(I) President Ghulam Rasool Kar visited the area and spoke to a gathering alongwith Choudhry. Chances of Choudhry jumping into the fray if elections are announced are imminent. The Army too has now sensed that Choudhry is growing big in his shoes. Choudhry's ruthless operations have created another local outfit in a nearby village. This unnamed outfit is receiving help from another Army unit posted in the area.

While most of the politicians in Srinagar assert that Choudhry has been an intelligence mole in the militant ranks right from the beginning, some attribute his anti-militant activities to the kidnapping of his daughter Maryam by a rival outfit. His daughter is now a refugee in Jammu.

Ikhwan-ul-Muslimeen

This outfit, a breakaway group of Ikwani-ul-Mushmeen is the most powerful, deadly and organized of all the counter-insurgent outfits operating in Kashmir. Headed by Mohammed Yousuf alias Jamsheed Shirazi alias Kuka Parrey, 36, a folk singer, it emerged from Hajan village of Bandipora in north Kashmir in the middle of last year. While it is believed that Ikwani is the creation of Military Intelligence, its emergence is attributed to the Hizbul Mujahideen's bid to become the almighty of the armed movement in Kashmir. Practically it is the only outfit which has restricted the Hizb in most of Kashmir. It has killed scores of Jamaat activists and Hizb militants besides destroying scores of houses belonging to them.

The forests and extortions are the main sources of revenue of the outfit. It is running the biggest and the most organised timber smuggling racket in Kashmir. Besides, it has taken control of the orchards of Jamaat activists who have migrated to other areas from their native places. Its chief holds a durbar every Thursday at Hajan and doles out money among the people. The police turn a blind eye to the activities of its members most of the time. There are few cases of gang rapes, extortions and the abduction of the sisters of a police officer pending in some police stations in Baramulla and Srinagar.

Out of all the counter-insurgent outfits, the Ikhwan hates the media the most. In fact, the outfit took off when it abducted four journalists in July last year. Its threats have so far sparked four strikes of local press. The blast at the BBC office in Srinagar in which ANI videographer Mushtaq Ali was killed and the assassination bid on the life of Zee TV reporter Zafar Meraj are said to be the handiwork of this outfit.

The outfit has lost scores of its members in its fight against Hizbul Mujahideen. Though Kuka Parrey has denied any plans to be a part of the electoral process, indications are that he will be great help to the Government in conducting elections in the state. Of late, the army has tried to project Parrey as the chief ministerial candidate. He was made to stay in Delhi for a month this year in a bid to get favours from the Prime Minister's office. But the home ministry refused to lend a hand to the army to project Parrey beyond his size.

But, it is clear that this outfit with overt and covert support of different security agencies will be the decisive force in deciding the fate of militancy in Kashmir. The number of its activists is 700. Recently it floated its political wing, Awami League.

Muslim Mujahideen

This outfit was founded by Master Mohammed Ahsan Darin 1992 after he was expelled as chief of Hizbul Mujahideen. When Master was arrested by the security forces, its activists in different areas switched over loyalties and in most cases joined hands with security forces to counter Hizbul Mujahideen. In north Kashmir, they took refuge in security camps while in south Kashmir, they concentrated in Anantnag town which continues to be in their control. So far, Nabi Azad, 32, is leading its members against Hizb and Jamaat-e-Islami with the direct and indirect help from security forces. Its number varies. In Anantnag district there are over 200 militants under Azad's control. Azad hails from Shoulipora in Achabal township falling in Anantnag district.

Al - Ikwan

Comprising most of the former Ikhwan-ul-Mushroom militants, this group has its base in Anantnag township. They have an office with bold sign boards in the interior township. This building has a number of security bunkers around. The group has forced the Hizb militants and Jamaat activists to get temporarily displaced from the town. As per the dictates of the outfit, no local paper is allowed in the town. Police sources confirm that the outfit seems a BSF creation as there are witnesses who have watched the BSF supplying ammunition to them. They once abducted Abdul Ghani Lone, the APHC leader who was later freed on Shabir Ahmed Shah's intervention.

Indian Al-Baraq

This least known outfit is found outside the security force camps in parts of Kupwara and Ganderbal. In fact these are Al Barq militants who have surrendered before security forces. It is the least organised group. Occasionally these youngmen barge into the houses of civilians in the neighbourhood of camps or stop the passenger buses and rob them off their valuables. These people do not have specific targets and are less than 50 in number.

Hussaini commandos

It is the gang of armed youth operating in Magam-Gulmarg area of Budgam district. It is an outfit of Shia Muslims created by the Shia Congress leader Moulvi Iftikhar Hussain Ansari to protect himself. Later, it expanded itself and took Hizbul Mominineen, the Shia militant outfit, as its target. However, the outfit is mostly busy in greasing its palms with robbing the civilians and smuggling timber from the Gulmarg woods. They are provided food, shelter and petrol by the BSF. They are around a score in number.

Taliban

It is a Gujjar militant outfit operating in the Gujjar dominated areas of Kangan in Srinagar district. Their main aim is to protect the Gujjar leader and former Congress minister Mian Bashir and his son Mian Altaf. With no specific targets, the members of this outfit do not kill active militants but snatch their arms. They operate with the Rashtriya Rifles and smuggling of timber is their main source of revenue.

Kashmir Liberation Jehed Force

It is a BSF created outfit of some surrendered militants putting up in the Shivpora rehabilitation centre headed by Mohammed Afzal, 35, formerly associated with the JKLF. Al Umar, Ikwaniul Mushmeen and Hizbulullah. He has his son Tariq as his deputy. The abduction of his daughter by a rival outfit is reported to have forced him to surrender. The outfit leads the security forces in its operations against militants in the city. A number of its activists are wanted by the police in acts of theft. Some of them were arrested by the police while barging into business establishments and shops, but went scot free under BSF intervention. Its activists number around 50, being mostly dwellers of the Shivpora rehabilitation centre.

Reports in the Media

(Extracts)

Views of J&K bureaucrats regarding polls:

'J&K needs a healing touch, Assembly polls can wait'.

The Times of India News Service, Srinagar May 30, by Sabina Inderjit.

"Now that the battle of the ballot is over in Jammu and Kashmir, it is time to apply the healing touch, say bureaucrats in the state capital. This, they say, will serve the national interest a lot more than immediately pushing ahead with assembly elections."

"The holding of parliamentary elections after a big gap of seven years 'has been a big breakthrough against militancy. More importantly, these have provided an opportunity to usher in peace. And this must be fully utilised', says another bureaucrat."

"An unsettled political situation over the years has severely affected the economic growth of the state" admits Chief Secretary Ashok Kumar. "Free education will throw one lakh educated youth every year who have nowhere to go. Frustration naturally sets in and we know this is one of the main reasons for them to pick up the gun. Therefore, we need to think of providing jobs," he says.

Though the State has set up many schemes, many are yet to take off, regrets an official. "Take the case of the rehabilitation council. It was set up with a corpus in November last year, but a meeting of the board of directors is yet to take place. The Welfare Board for Gujjars, considered two and half years ago has yet to be constituted. Worse, there have been complaints of big chunks of land being occupied by Security Forces over the years."

"At the same time, other than the healing touch some police officials and those involved in the Election process explain that 'Logistics may not allow assembly polls right away. A lot more security personnel would be required for candidates. It is not a question of six parliamentary seats but of eighty - odd assembly seats."

Reports in the Media (Extracts)

India's aim to hold polls in Kashmir succeeds.

The Times of India News Service, Srinagar May 28, by Sabina Inderjit.

"India, has won the proxy war through elections. Pakistan said it would not allow elections in Kashmir and went out of its way to stall these. India said people want a revival of democratic process. Its aim was to hold elections. And it has succeeded." This is how senior state-government officials and political observers view the importance of the exercise undertaken in the valley on May 23 in Anantnag and Baramulla. Another round of polling scheduled on May 30 in Srinagar is expected to reaffirm this view to the world."

"After seven years of militancy and insurgency and two unsuccessful efforts of reviving the political process in the State recently, the 'completion of a peaceful election has sent the message loud and clear that Pro Pakistani outfits, particularly the Hizbul Mujahideen's writ of not allowing elections does not run any longer. Besides, it has shown to the people that the All - Party Hurriyat Conference (APHC) is a divided house and is in a very bad condition' said Chief Secretary Ashok Kumar. 'The APHC leadership can't stand on its two legs. There is no idealism in them, no guts, they are not people who are prepared to sacrifice. The election is one more nail in the coffin of militancy or the Hurriyat movement in the State," he elaborated

Not only has the exercise helped in testing waters but would have also made the people realise that 'what Pakistan said it has not been able to do' Asked about the unprecedented security in the State (an additional 550 companies had been deployed) officials, speaking on conditions of anonymity, explained the security had a two fold purpose To prevent Pakistan from carrying out its evil designs from across the border and to create a sense of security amongst the people that while Pakistan can cry hoarse, the militants can threaten, it can't do a thing.

The security forces, officials insist were 'sent to prevent the militants from preventing the voters from exercising their franchise.' And surely out of the 40-50% turnout in the two parliamentary constituencies 'There were people who were able to exercise their rights after all'. By and large people are tired of the gun culture and want a change is the explanation.

"Coercion or no coercion, the fact remains that voting took place There are scores of countries where voting is compulsory like wise here the voter may have been 'persuaded' to vote, but at least he wasn't denied the freedom of choice for whom to vote," felt an observer.

In private conversations officials do admit that the local administration and security forces allowed their judgement to run with their enthusiasm. 'Subtle discretion should have been exercised Original expectation was a voter turn out of 15-20% A turnout of 40-50% gave rise to suspicion even over the genuine voter,' explains an official New Delhi would have been satisfied with even a 10-15% voter turnout.



BSF jawans chase demonstrators protesting against the elections into houses and alleys at Lal Chowk in Srinagar

Police officials on Kashmiri Militants.

Militants are on the run, yet it may be a long road to peace in Kashmir.

The Times of India News Service, Srinagar May 28.

By Sabina Inderjit.

Militancy in the Kashmir valley has turned full circle. Moving from terrorism to insurgency, it has now come back to terrorism say senior police officials. Though militant groups are on the run it will be quite some time before a semblance of normalcy can be restored.

September 1988 saw the beginning of terrorism with the attack on DIG A.M. Watali's house. The Kalashnikov had made an entry. September 1988-1989 saw explosions and attack on tourist buses. 'Initially deaths and killings made news. Statistics built up leading to fear and terror,' police officials say.

"A popular movement took root in 1990-91 what with television beaming uprising in other parts of the world such as the breaking up of the USSR. 'People saw lakhs coming out on the streets there. It happened here too and processions of two to three lakh people saw a greater casualty of civilians. The movement against the State had begun."

"The induction of security forces began in a major way. By 1995, it was becoming clear to people that '*Azadi* might well be a distant dream. The movement couldn't take on the security forces.' And militant groups such as the Ikhwan-ul-Muslimoon quit the movement, giving a further boost to the State government.

"*Saat saal kya jeeta, kya haara* (Seven years back what did we loose and what did we gain)?" asks Parrey's close confidant Papa Kashtawari, who got involved with the Pakistan backed Harkat-ul-Ansar group in 1986.

Papa Kashtawari surrendered to the State on November 11th, 1995 and some others followed suit. 'The government allotted me guns for carrying out operations..... today I carry a stick and in another month and a half militancy should be obliterated at least in my areas.' he says confidently.

For the centre, Parrey's group joining the election fray has been a major plus point. As his candidate for the Srinagar seat, Javed Ahmed Shah, puts it: " the centre has been able to hold these parliamentary elections solely because of us ". Its political wing, the Awami League, has been given all support by the state machinery, and the renegades say they have "set the Hizbul Mujahideen right" to some extent.

Going by figures, police officials say, " late 1995 has been a watershed, and security forces have had successful operations in the valley. Of the 21,000 militants arrested over the years, only 3,000 are in custody. About 15,000 AK-47 rifles and about two million rounds of ammunition (not available in our country) have been seized. Today, the militants, at best, can launch rocket attacks, throw grenades, organise a few public demonstrations but these are not capable of seriously disrupting the elections."



On Poll Rigging

Panther Party Alleges Rigging in J&K Polls

United News of India, New Delhi, June 2

The Jammu and Kashmir Panther Party has petitioned the Election Commission to hold an enquiry into the alleged rigging and violation of code of conduct by three national parties in the recent elections in the state.

Addressing a press conference here, Bhim Singh, president of the party which has fielded candidates in five Lok Sabha constituencies in Jammu region and the valley, alleged that "over enthusiastic administration, obsessed with the idea of raising the poll percentage virtually thwarted the genuine poll process.

The polling officers deployed with certain covert instructions allowed the carrying of voters on official trucks to polling booths. Blatant display of banners and posters as well as air lifting of the agents of the BJP and the Janata Dal constituted some glaring violations of the election code of conduct" he charged. The Panther Party chief alleged that rigging of polls in favour of certain candidates belonging to the national parties was so open that it virtually repeated 1987 poll scenario when former state chief minister Farooq Abdullah and the Congress Party tried to manipulate the elections in their favour.

A candidate who was leading at certain stage during the counting of votes in the Srinagar constituency was relegated behind and another candidate of a national political party suddenly secured a lead of more than a lakh votes he charged. Singh alleged that the presiding officers refused to accept the voters list in Hindi and allowed voting on the basis of Urdu list alone which resulted in deletion of thousands of eligible votes.

He demanded repolling in hundred booths where his party agents were not allowed and stern action against erring officials



Amnesty International Visit to J&K

Amnesty Team is Likely to Visit J&K Soon

The Times of India News Service, Shimla, June 4

National Human Rights Commission (NHRC) chairman Justice Ranganath Mishra announced on Monday that an Amnesty International team was likely to visit J&K in July or August to study the human rights situation there

Talking to reporters, Justice Mishra admitted that there had been instances of human rights violations in Kashmir and the North Eastern states involving the army and the paramilitary forces. He stated that the commission had taken cognisance of such violations. "As many as 246 personnel of the BSF had either been suspended or dismissed and some even imprisoned for 10 years for their acts of human rights violations in Kashmir. As many as 58 army personnel including some officers had been charged with violation of human rights both in Kashmir and the North Eastern states and action had been taken against them.

Killing of Counter- Insurgents by Security Forces

Probe Ordered into Anantnag Killings

The Times of India News Service, Srinagar, June 3.

The state government on Monday announced a magisterial probe into the killing of 5 persons in firing by paramilitary forces during the counting of votes in the Anantnag parliamentary constituency on Sunday evening. The persons killed were activists of so-called "pro-government" militant groups, Muslim Mujahideen and Jammu Kashmir Ikhwan.

An ex-gratia relief of Rs. One Lakh has also been announced for the next of kin of each deceased. The police said on Sunday that the militants had opened fire leading to retaliation by the CRPF personnel. But a police spokesman clarified on Monday that the CRPF had opened fire following stone pelting by some people. The commanders of Muslim Mujahideen and Jammu Kashmir Ikhwan in separate statements said the firing by the CRPF was unprovoked

Meanwhile, counting of votes suspended after the shooting incident was resumed at 4 p.m. on Monday. The candidates of the Janata Dal and the Congress have alleged that the two militant groups were bent upon disrupting the counting process since they were sure of the defeat of their own candidates. But the commanders of Muslim Mujahideen and Jammu Kashmir Ikhwan alleged that the district administration was siding with their rival parties.

In a related development the Awami League political wing of another pro-government militant group Ikhwan-ul-Muslimoon, complained of massive rigging by the Border Security Force and the non-Kashmiri polling staff during elections in the Srinagar and Baramulla constituencies.

The Awami League candidates from the two constituencies, Javed Shah and Mir Niazi told a press conference that the BSF and the polling staff had allegedly cast ballots at polling booths where voters had not come to vote

Mr. Shah and Mir Niazi said the Awami League had committed a blunder by jumping into the electoral fray. "We'll never again fight any election. We have lost faith in the elections" they said.



Comment on Elections

Kashmir elections: the failings of success

Business Standard, May 29, 1996, Haseeb A Drabu

Evidence rarely informs opinion in the media. This has never been so obvious as in recent times, specially in the case of the Kashmir elections. All national dailies carried extensive reportage on the coercion by the security forces in these elections. Yet the editorials in the same papers didn't deem it fit to delve on this issue at all. Instead they focussed on the "success" of these elections, indicated by the high percentage of voter turn out which is precisely what the reports had cast doubts about. The preconceived opinions were laced with ignorance because completely meaningless and misplaced comparisons were made with voter turn outs in Maharashtra and Gujarat.

While a complete analysis of the parliamentary elections in J&K can only be carried out after the results are announced, reports of coercion by the security forces and by the counter insurgents need to be understood. Most national and international reports suggest that the security forces and the counter insurgents were involved in ensuring a high voter turn out in the Baramulla and Anantnag constituencies of the valley. But there are disputes about the extent of coercion.

But has the assertion of authority been taken too literally by the security forces in forcing the voters to cast their votes? It would seem so. Even if the outcry has been exaggerated there is no denying the fact that the security forces did "persuade" the people to vote. This was admitted by a senior security official in an interview telecast on Doordarshan.

As a matter of principle the intercession by the security forces in a political decision of a voter is not only unwarranted but also unprecedented in the democratic history of this country. It makes little difference whether the security forces did or did not use force. In a situation as exists in the valley today moral suasion by the security forces is only marginally different from an order. This is only natural when the state has been under virtual army rule for the last seven years.

In this environment even if a small group of security personnel go to a house and ask the voters to participate, it is easy to understand that the statement will, even if it is not intended to, be perceived as an order or a threat. Nobody would risk reprisals from the security forces if the election mark is not found on the finger. These things may seem trivial to most people, they nevertheless determine the pace and logic of life in the valley- which is very uncertain.

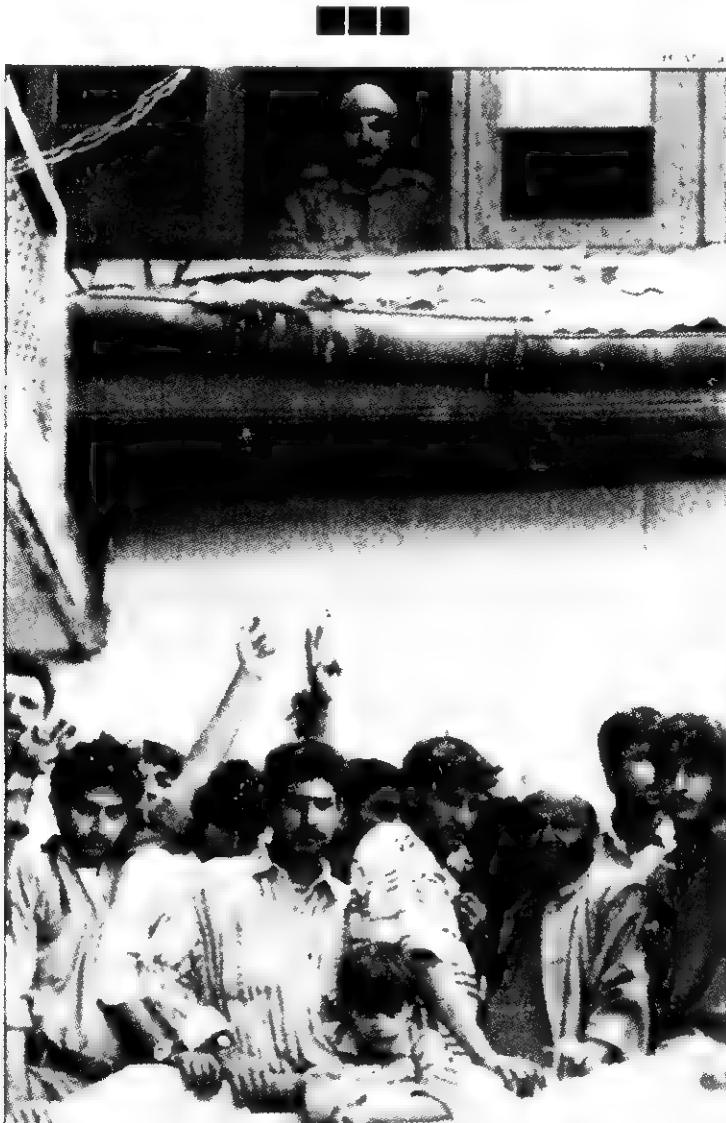
The important point is, was this sort of persuasion necessary at all? Few political analysts would suggest that the polling would have been less than 8 to 10 percent in the valley. In the aftermath of counter insurgency it has been obvious to all that there will be a small minority, even if it is an insignificant one, at the moment - in the valley which would have voted voluntarily. This minority may not be prompted to vote by a pro-India sentiment. The desire to participate could well be because of an urge to see the conflict on the ground resolved. This is specially relevant for those who want to see the trouble cease as far as their daily lives are concerned, even if the Kashmir imbroglio continues in national and international fora.

In view of this, the voter turn out for the state would have been anywhere between 30 to 35 percent given that the turnout had been close to 50 percent in the Jammu and Ladakh. And that would have been a credible figure by any

standards. After all, in all the 24 other states the voter turnouts are not given by regions or provinces. The fact of a coercion in whichever way it might have operated has cast aspersions and doubts on the entire elections.

This was quite unnecessary and has resulted in the elections being a complete political failure as far as the people of valley are concerned. And it is they, more than anybody else, who matter.

In the long run this is far more beneficial than getting counter insurgents to hastily announce a political party and rely on their participation. The edifice of democracy cannot be built on the foundations of counter insurgency. Democracy cannot be administered by force. It has to evolve on the basis of meaningful participation. This involves respecting the right of a person not to exercise his franchise in an election.



A policeman looks on as Kashmiri youths, rounded up as a pre-emptive measure by the authorities, raise the freedom slogan at the Batmallo police station in downtown Srinagar

Valley of suppression

Government wants territory, not People

ACROSS the mountains, in the valley, there is a city of house-tops. It enjoys the pure air and the sunlight, and turns its face upward to the sky. Srinagar, as it is called, has seen in the past seven years bright dawns proving false over the lighted landscape.

The crude use of violence by the security forces on one hand and the militants on the other has converted Kashmir into a blood-stained tragedy. It has meant the death of thousands, the destruction of temples and shrines 'mazaar' and the exit of lakhs of Hindus, the Kashmiri pandits, who are the warp and woof of ancient culture. The atrocities - and the indignities - perpetrated on ordinary people tell a long story. Still it is far from ending.

In the last few months, a new organisation of militants, the Akhwan Muslimeem, has come up, cold, unfeeling and ruthless. It is supposed to be a breakaway group of such militants as have raised the standard of 'Azadi'. This is possible. But its victims are not members of the security forces, as was in the past. The victims are human rights activists, independent journalists and critics of New Delhi.

No action

And it is no more a secret that they, called the 'Sarkari' militants, operate with immunity because no action is taken against the crimes they commit. Their places of stay are protected by the security forces and most of them reside near the barracks. Whether they are paid or not is not so relevant as the fact that they extort and loot at will. As an anti-militancy operation, similar groups were constituted in Punjab and they played havoc with the state.

Against this background it is not surprising that an attempt has been made on the lives of Abdul Gani Lone and Syed Ali Shah Geelani more than once. They are senior leaders of the All Party Hurriyat Conference and they make no secret of their opposition to New Delhi.

The recent attack on them - a bomb exploded at Lone's residence and unidentified gunmen fired at Geelani's house - was on the same day, suggesting a plan. And as it has happened in the past, the culprits are not traceable. Even if the allegation that the 'Sarkari' militants are at the back is rejected, the administration's nonchalant attitude raises suspicion.

Had such incidents taken place in a country which knows no rule of law, it would

have been understandable. But India still has police, which normally pursues crimes, and has a government machinery which, however lackadaisical, protects people without inquiring about their views. It is still not a law of jungle. Then why are there different standards for the people in Kashmir?

Lone and Gillani may not be to the liking of the government. Their views may also be diametrically opposed to the majority in India. But that does not make them lesser citizens. They have equal rights. Why should their assassins not be hauled up? There is an inexplicable laxity in their cases or, for that matter, persons like them. The murder of Gulam Rasul, a journalist, who was killed at Palampur near Srinagar, some time ago remains untraced.

In fact, if one were to look back one would find that the estrangement of Kashmiris began when they realised that there were two sets of laws or standard, one for them and one for the rest of India. Even from the days of Sheikh Abdulla the state has been ruled from New Delhi and not Srinagar. When he protested, he was imprisoned and stayed in jail for nearly 12 years. Prejudices and preferences of rulers at New Delhi have mattered the most, not the wishes of people. New Delhi has been deciding who will be the state chief minister, his cabinet colleagues and even senior officials. The autonomy under article 370 has been eroded law by law.

Elections, except the one in 1977, have been a farce and the Kashmiris have been treated like dumb driven cattle. They have never enjoyed their democratic right to rule themselves. Nor have they experienced liberty and the interplay of ideas that free balloons bring in their wake.

Polling booths

The recent Lok Sabha elections have been no better. The Indian media has itself questioned its fairness. The voters were forced to go to polling booths, as officials have admitted in private. All that the Rashtriya Rifles, an army outfit, wanted to see was the mark on people's finger, indicating that they had voted. The 'Sarkari' militants were given free entry into polling stations 'in national interest'. No wonder, Congress won 4 out of 6 seats.

One fails to understand the purpose of this futile exercise. It has not impressed people in India, much less abroad. If any proof was needed about the suppression of people's rights, the Lok Sabha poll has provided one. Fear stalked the valley. Still the

election commission has patted itself or the back.

The disconcerting part is that the exercise has encouraged the government to go ahead with the state election. No doubts, it can be held, as the Lok Sabha one was. But what does New Delhi want to prove? It cannot win the chit of normalcy in this manner. Ultimately, people have to be won over. And this is not the way. It has distanced them more from New Delhi than before.

Serious talks

First thing's first. Governor Rao should be recalled and a process of reconciliation should begin. His rule is too authoritarian too inhuman. A responsive approach and the administration sans force may rebuild bridges for serious talks with the Kashmir leaders. They are more realistic now than three or four years ago.

The euphoria of 'intifada' and 'Jihad' has waned in the valley. People are disillusioned not only with the state of militancy of different origin but also with the position they have been reduced to in the game of power politics between India and Pakistan. They are sick and tired of the whole thing. They want peace, a normal life.

They may begin to have a different opinion of New Delhi if they can still be convinced that justice is the cornerstone of Indian politics. At present they are questioning every institution, above all the rule of law. It is more than a coincidence that whether it is a cold-blooded murder of a lives of Kashmiri leaders, not even suspects, much less culprits, are arrested. None is grilled at the question centre like of which are dotting the state for other purposes. The Indian media has also preferred to turn a blind eye. It appears as if none cares.

The impression which has gone deep into the psyche of Kashmiris is that they are dispensable. New Delhi, they believe, wants territory, not them. The Deve Gowda government's undertaking on more autonomy may not evoke response it should if the Kashmiris come to believe that their leaders are sought to be eliminated physically, not politically.

When even the few human rights activists in the valley seek refuge in Delhi or elsewhere because of the fear of 'Sarkari' militants, it is apparent that the law has got mixed with the lawlessness. The priority of the new government should be to re-establish the dignity of law so that people, whatever their views, are not bumped off by the elements, which are at present above law.

INTERVIEW OF THE WEEK: K.V. KRISHNA RAO

“If anybody can do a better job, he is welcome to take over”

‘I am very near to achieving my goal,’ boasts Jammu & Kashmir governor Gen. K.V. Krishna Rao as he gives final touches to his blueprint for the proposed assembly elections in the state. The general has taken a break from controversy to gloat over the success of the Lok Sabha election in Kashmir. (For instance, he once said that Rajesh Pilot, then minister of state for Home, was too junior a person to discuss the Kashmir issue with him; he kept the then Union Home minister S.B. Chavhan waiting for half-an-hour so that he could finish a TV interview).

Rao dismisses allegations that he is the most malleable governor. “This is a campaign unleashed by all these vested interests,” he says. Every word of his points to the confidence, and perhaps arrogance, of a soldier who is still alive in the former army chief. Excerpts from an interview with Aasha Khosa:

■ Have elections really meant the end of militancy in Kashmir?

The successful conduct of elections to the Lok Sabha in Kashmir has baffled Pakistan and militants. People today are demanding early Assembly elections. I told the prime minister that he should take a decision about it at the earliest. By mid-August, we should have an elected government in J&K. This is my perception of the post-election scenario. The decision for making gains out of it lies with the Centre.

■ National Conference does not seem to be satisfied with the conditions prevailing in the state. In case they need more time to prepare the ground for elections, do you think they should be heard?

Last time they said they needed six months. It was in December. It is already over six months now and I expect them to be ready by now. I don't know about their mood but it is in everybody's interest to have early elections. Given Pakistan's

interference in Kashmir also, it's important to go for early polls. Otherwise, it will be another missed opportunity and J&K history is replete with such instances.

■ We seem to be nearing a stage where your mission of installing an elected government in J&K is in the offing. What do you think should be the next priority?

The real problem lies ahead. In Kashmir, people had been often saying they never got a responsive government. A lot of corruption and nepotism was there. Then there were destabilisation bid from the Centre. That should not happen. The second priority is reconstruction of massive scale to undo the damages to public property by militants. On my demand nearly 10,000 Kashmiri youth have been given jobs in the public sector in the rest of the country. But that does not solve the problem. I am asking for 10,000 jobs per year. Unemployment leads to frustration and that is dangerous.

We need nearly Rs 250 crore to Rs 300 crore immediately for reconstruction. Then the most important thing for the elected government would be to refrain from resorting to populist refrains and condemn army and para-military forces publicly. In that case the army will cooperate with them only to the extent they deserve. That is not going to help in maintaining the tempo of anti-insurgency drive in Kashmir.

■ Should the return of Kashmiri migrants figure somewhere in the next priorities of the government?

Yes, it must, but it will take time. The gov-

ernment has to ensure a proper plan for migrants' return is made. My idea is that they should go back to places where they were living before militancy. Building separate colonies for them is the most undesirable thing. I could have done it with the force of gun. But that will not solve the problem. They should return with the willing acceptance of their neighbours.

I have been against the demand for a separate homeland for the Hindus. Certain political parties are saying that they should be brought back

before elections. This can happen only when an elected government comes and invites them formally, back to Kashmir. I am there to see that they have no threat to their lives and property when they return home.

**“
If Phoolan Devi
can be elected
by the people,
why can't
the former
militants in
Kashmir be?”
“**

■ Now concerning allegations of coercion against voters....

Yes, a lot of reports in this context had appeared in media. People in Kashmir had all along been asking us for providing them total security right from their homes to the polling booths and back.

That is what we have given them. If some people misinterpret it as coercion, it is highly unfortunate. These allegations are uncharitable to the people as well as to the forces. Again here are three main reasons for this kind of reporting. Some people still have their interests across the border and they try to raise such allegations. The other is ignorance. Some of the journalists coming from outside stay in Ahdoos' hotel and get influenced by some local journalists who have a well knit organisation. The third is the fear of militants. It is still easier for militants to gun down soft targets. We are not protecting



Photograph by HEMANT MEHTA

every person. It could be that people are saying it to reporters under fear of militants. In next elections also they will do things. If anybody can do a better job than we did they are welcome to take over. All these allegations are nonsense and inspired by Pakistan

■ So you say it was genuine mobilisation of people?

Yes, administration motivated them. It is our

job. But all these candidates who contested did a marvellous job. I annoyed Kar (PCC) chief and Baramulla MP by telling him to go to Sopore and not merely announce that he had toured Kashmir while he sat quietly inside a guest house in Srinagar. I prodded him and then he went around asking for votes. He ultimately won because of this, hard work. Now people want assembly election, panchayat elections. I tell them "sab ho javega"

■ Do you foresee Hurriyat participation in Assembly elections?

We will definitely want it. I want all of them particularly Shabir Shah, to come and contest. This election also saw former militants in the fray. They got quite a lot of votes. We call them reformed militants. Everybody knows their role in decimating the Hizbul and Harkat-ul-Ansar. Even politicians acknowledge their role. They may say different things outside. We are committed to rehabilitate them. We will give all legitimate help to those who have political ambitions.

■ But don't you think, Hurriyat leaders should ask their militants organisations to declare a cease-fire before they contest polls?

Morally, they should. But let them not do it. Military part does not bother us. We will tackle them including Pakistan. Have we crushed militancy because of the cooperation of Hurriyat? There is still time for Hurriyat leaders to see what they have brought to the people. They should have realised long ago that a 1,000 odd militants can't fight Indian army. So many lives could have been saved.

■ Finally, how correct are reports about desertions by the reformed militants into pro-Pak outfits after the electoral defeat of some of them?

We are in close touch with them. They are absolutely sure in their resolution to work for peace. The former militant candidates have bagged a reasonable amount of votes in the Lok Sabha elections. They stand a good chance in Assembly polls.

■ How do you feel about the behaviour of politicians towards these reformed militants?

I wish they were more generous and large-hearted towards them. Whenever they meet us they appreciate the role of these persons in restoring normalcy in Kashmir. I think our people should get used to the idea that these former militants are not enemies of the society or the country. When Phoolan Devi can be elected by people, why not these people here? Then we have the experience of North East where chief ministers were former militants. I, as an army officer, used to chase Laddenga during his militancy days. Then our experience has shown that none of these former militants have gone back to the same life again.

Voting Under Coercion

The feeling of alienation in the Valley has been reinforced by the way in which securitymen ensured voter turnout

BY HARINDER BAWEJA

THE FARCE UNFOLDED JUST when things were showing signs of changing. When there was a faint glimmer of hope. When disenchantment with militancy was finding a voice and when several former militant leaders were talking to the Indian Government in what appeared to be a rejection of the Pakistani card. And even as ordinary Kashmiris appeared to be in a mood to reject violence as the vehicle for *azadi* and the slogan for independence was giving way to talk of autonomy, they found themselves being ushered into another period of alienation and anger. On May 23, when elections were held in Baramulla and Anantnag for two parliamentary seats, democracy once again took a severe beating in the Valley. Voters were herded to polling stations by security forces and forced to cast their votes.

In the run-up to the election, other militant groups had issued threats to stymie the process. They succeeded in some measure: candidates did not come calling on voters. But those who did were the men in olive green. Descending on village after village in the early hours of May 23, their message was the same: Cast your vote, we will come back and inspect the marks on your fingers. And they were there in strength, ostensibly to guard the 26 candidates, mostly from among surrendered militants, contesting as Independents and several from the Congress and the BJP, which put up migrant Hindu candidates in the hope of getting them elected on absentee ballots. The National Conference and the Hurriyat had boycotted the poll.

The troops instilled not confidence but fear and loathing. They were out in strength—the Valley crawling with over one lakh of them, drawn from the army, the BSF and the CRPF. That's how the residents of Anantnag and Baramulla woke up that morning when tension ran high and the clouds hung low, casting

a bleak shadow over the Valley. Still others woke up to announcements from mosques—a mohalla elder asking them to proceed to the booths. It was what they had feared and they had little choice in the matter. "We were not even allowed to drink our morning tea," said Ghulam Hassan, one of the crowd of hundreds making its way to the polling booth in village Nehama, adding, "How can we say no? I don't want to vote but the soldiers threatened our lives."

There were further complaints. Many residents who were forced to go to the polling booths said that security-

Photographs by SOUMITRA GHOSH



men had threatened that those who did not vote would never be allowed to open their shops again. And as more and more groups of frightened, fear-stricken people made their way towards the polling stations, it was clear that the elections after a violence-punctuated gap of seven years, were being held in the shadow of the gun.

The thoughts that raced through Abdul Ghani's head as he joined the long queue were similar to those of his friends: the election was being rigged once again, Kashmir's history was being



repeated. Ballot-boxes were not being stuffed like they were in 1987 when the government run by Farooq Abdullah had gone overboard to ensure the defeat of the Muslim United Front (MUF) candidates, but as in the past, candidates were being thrust on them. The decision was not theirs and the candidates chosen did not reflect their aspirations.

The two constituencies of Baramulla and Anantnag saw unexpectedly high turnouts of 35 and 43 per cent but the voters came, not to give their "mandate for the return of peace and democracy".



Residents queuing up to vote in the shadow of the gun in Anantnag; and (left) a voter showing his ink mark to a jawan in Baramulla: democracy takes a beating

as Chief Electoral Officer J.A. Khan put it, but only because of the fear of the gun—a refrain that echoed through the Valley. "It will be the fairest ever election. We are not interested in who wins or loses or whether the turnout is 5 or 40 per cent," was the assurance that had been given by Lt-General J.S. Dhillon, COC, 15 Corps, but the ground realities belied all such claims.

As the hours wore on, it became clear that the administration had carefully plotted its strategy. Herding the voters to booths was only the first step in the drama that unfolded under the overcast skies. Rules were flouted and changed to accommodate the numbers lining up in serpentine queues—people whose names did not figure on the voters' list were allowed to vote. At some places, they were told who to vote for, and at others, some voters made their anger known by stamping four different symbols at the same time. They had no choice—for if they could have done as they wished, the turnout

would have been 10 to 20 per cent as estimated by the Home Ministry and the intelligence agencies, and not shot up to 50 and even 70 in certain segments.

But the security forces-driven administration, spurred by a percentage game, came close to achieving a similar turnout as the elections held under normal circumstances. Determined to usher voters out of their homes, they first went for the men while the afternoon was reserved for the women who were brought out in the 'second phase'—a dead give-away that people were not coming out voluntarily, otherwise, as Hilal Haider said: "Why would I not come with my wife and mother?" In Tregam, for instance, a polling booth with 956 voters, 30 per cent of the votes had been cast by 11.30 a.m. and not one of these was a woman voter.

They were not the priority until after 1 p.m. when the troops returned to the villages, voters' lists in hand, to bring out the women and those who had not already voted. Why troops should be moving around with these lists was a question Khan could not answer, his only reply being, "I have not received any complaints."

There was little scope for that for this must have been the only place in the country where polling agents were not present in booths. The polling staff, brought in from Delhi, Punjab and Haryana, all wearing bulletproof vests, were themselves quite surprised at the turnout. Expecting large-scale violence they in turn, after staying in the protective custody of the security forces, revealed that the voters had been brought there forcibly and aware of the fear that had gripped the Kashmiris, were quite willing to put the ink mark on their fingers. Some booths, in

The message of the security personnel was this: Cast your vote, we will be back to inspect your marks.



Holding people back in the queue at a polling booth in Anantnag: instilling fear

fact had separate queues for people who came for the ink mark while other presiding officers painted "Vote Nil" on their wrists. "This is what they want to see and this is what will keep us alive. But this will also turn us away from you Indians. Why can't you just leave us alone?" a dejected Mohammad Nazir said as he retraced his steps to his village.

IT is in this context that the Government will have to consider whether it was right in congratulating the people for what it interpreted as 'enthusiasm'. Given the fact that it was the rigging of the 1987 election that saw the advent of the Kalashnikov in Kashmir, forcing voters into booths is hardly likely to contain the insurgency that was born of a farcical election. When election agents campaigning for the MUF decided to pick up the gun and launch the movement for independence.

And it is with the use of the gun that the security forces made yet another blunder that has only added to the complexities of the Kashmir crisis. By fielding former militants and giving them all-out support, the army and the BSF only reinforced the sense of

alienation: for each time these militants resorted to strong-arm tactics—forcibly pulling people out of buses to take them to election meetings and similarly packing them into trucks which, in turn, drove them to polling stations—the forces looked the other way.

The only time the voters showed any determination was when they rejected the surrendered militants and voted instead for Congress and BJP symbols. "They have been extorting money and harassing us, why should we vote for them especially since they are hand in glove with security forces?" scores of them said.

By encouraging surrendered militants to don the political mantle, the men in olive green are only creating more problem areas for, as one of them agreed, "It will be difficult to persuade them not to return to the militant fold if they end up losing the election." Already, last month, a move was made to disarm some of them, leading to dissensions within the ranks, with some of them threatening to go back to their parent organisations.

Having served

their purpose by taking on the pro-Pakistan groups and clearing areas which were once dominated by them, the surrendered militants are now behaving like mini warlords, much in the way Jarnail Singh Bhindranwale started off in Punjab. And it is with the help of these surrendered militants that the security forces came up with impressive turnout figures, 50 to 60 per cent in some segments.

Considering their dominance in the Valley and the National Conference's decision to avoid the poll process, Kashmir is back at a cross-roads, with the people feeling dejected, defiant and alienated. The militants have found an emotional issue—something that the movement had been lacking in the past one year—to try and bring people out of their homes once again. As assembly elections too will be pushed through, what seems to have been pushed instead are the Kashmiris who have only emerged with one feeling—not being given the chance to make their own decisions during an election. The poll percentage has shot up from 5 per cent in 1989 to 40 per cent in 1996—a figure that represents neither the aspirations nor the will of the people. Nor will it do so, until the new government at the Centre opens a dialogue or reopens the delicate issue of autonomy. ■

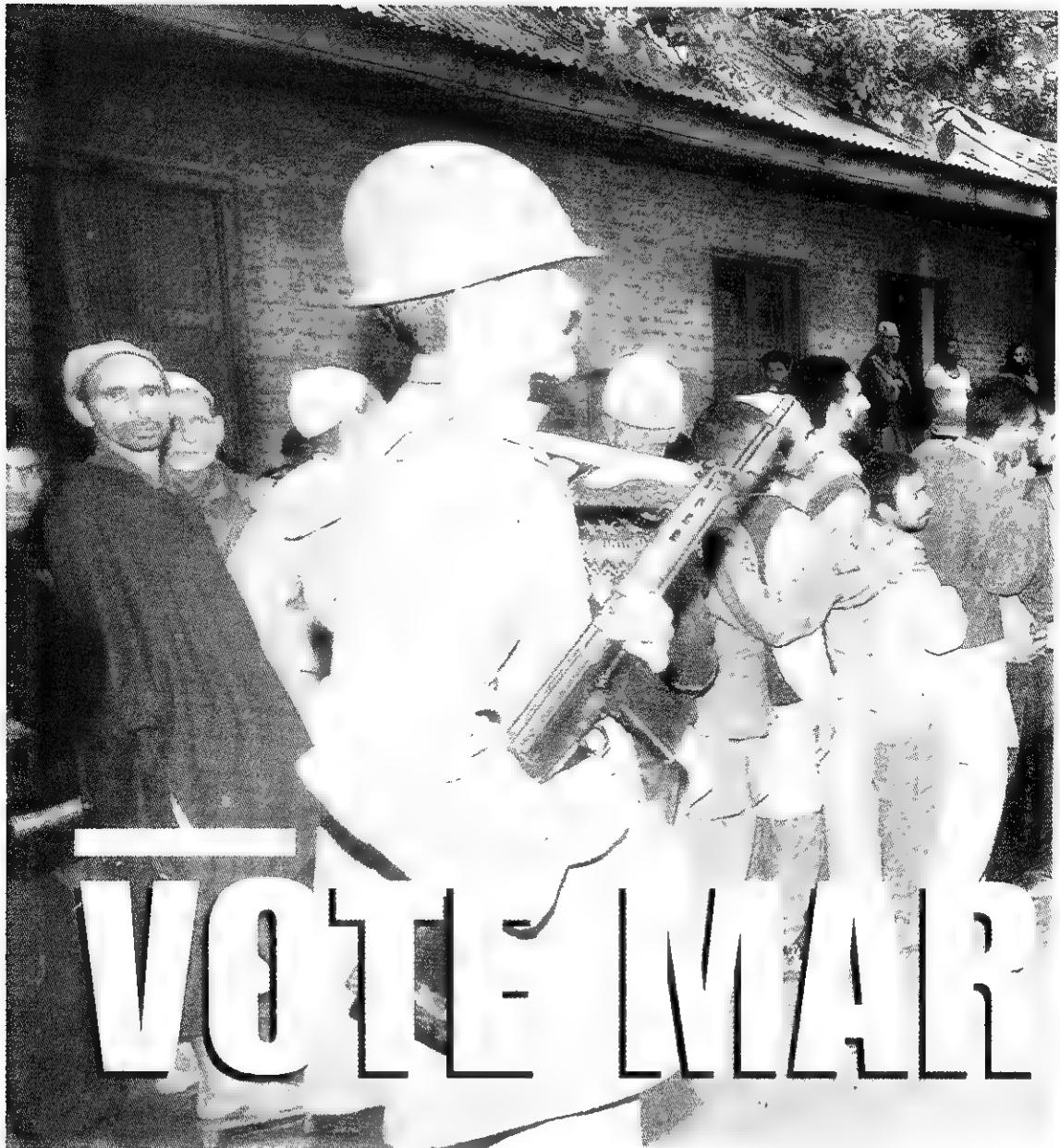
The militants have found an emotional issue to try and bring people out of their homes again.



A polling booth: people line to vote under the watchful eyes of the army in Anantnag district on 23-5-96 (Photo by FFT)



The Counter-insurgents causing a traffic jam outside the polling booth in Anantnag town on 23-5-96 (Photo by FFT)



OUTLOOK ■ June 5, 1996

The Government's credibility takes a beating as voters' accusations of coercion

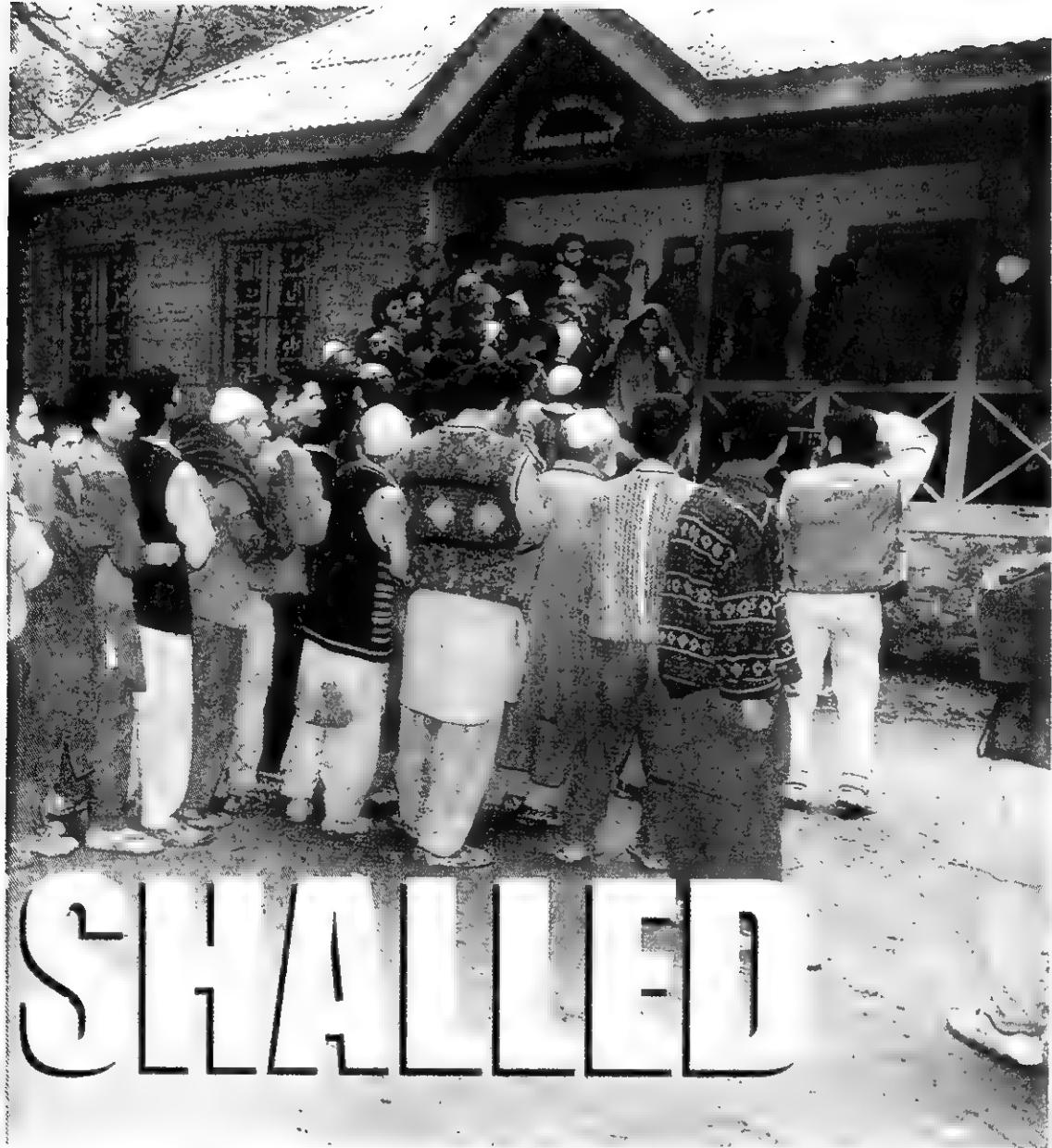
By AJITH PILLAI in Srinagar; Photographs by T. NARAYAN

THE euphoria in Delhi is understandable. A 49 per cent voter turnout in the Baramulla and Anantnag Lok Sabha constituencies in the Kashmir Valley is no doubt impressive—a dramatic five-fold increase in votes from the 1989 figure. But even as the state administration, the security forces and other managers of the May 23 polls are patting themselves on the back for the remarkable success, accusations abound that the turnout was stagemanaged, and that the security forces worked in tandem with surrendered militant groups to coerce a sizeable section of voters to exercise their franchise. The role of

the security forces ever since polls were announced has been such that doubts persist on whether the elections were 'free and fair'.

Already Ghulam Rasool Kar, the state Congress chief and candidate from Baramulla, has complained to the Election Commission that gun-wielding men had captured 50 of the 66 polling stations in Pattan. Kar alleges that his polling agents were prevented from entering polling stations at Sopore. At Sonaware, the returning officers were directing voters to vote BJP. Kar wants a repoll in all these segments. The National Conference (NC), which boycotted the elections, is also preparing its protest to the EC.

Points out Saifuddin Soz, official spokesman of the NC: "These elections were full of irregularities. Everything was allowed to hap-



SHAME

O U T L O O K ■ June 5, 1996

by security forces and surrendered militants reverberate through the Valley

pen in the 'national' interest. So you have this manœuvred percentage to prove a high turnout. This was achieved through a fear psychosis spread by a section of the army, particularly the Rashtriya Rifles (RR). Now they want us to believe that the voter-response was higher than in Gujarat."

There is enough evidence to suggest that to achieve 'outstanding' voter-response, the security forces did resort to various forms of persuasion to hustle reluctant men and women to polling booths. Any observer who toured the two constituencies on May 23 minus Government public relations bifocals will tell you that the impressive turnout was rather suspect and that the efforts of the security agencies to pressurise people to vote was not entirely democratic.

In village after village this correspondent visited, the story was the same. Crowds of people squatted outside polling stations like herds of sheep. One question, and all sprung to life with their complaints. The common thread in their stories was that members of the RR, a force created to manage counter-insurgency operations, had made announcements from the mosque asking everyone to vote. This was followed up by house-to-house visits by jawans of the RR and the paramilitary. The message was that dire consequences awaited those who refused to vote. In many villages the security forces warned that the index finger of those above 18 would be inspected to see if it has the indelible voter mark.

Outside Anantnag, at the Dialgam village's polling station in the

The New Meddlers

Mainstream parties oppose the entry of surrendered militants in the political process

CANDIDATES sponsored by surrendered militant groups are particularly conspicuous in the Lok Sabha elections in the Kashmir Valley. Among these the Ikhwan-ul-Muslimoon has floated a party called the Awami League, the JK Ikhwan of south Kashmir has floated the Patriotic Peoples' Front, and other groups have fielded Independents. In Anantnag, as many as four candidates have the backing of the surrendered militant organisations.

This entry of surrendered groups into politics has come in for severe criticism from candidates of mainstream parties. Congressmen have been the most vocal although the surrendered militants were nurtured at a time when their party was at the Centre. Even as campaigning kicked off, Taj Mohi-ud-Deen, vice-president of the PCC and Congress candidate from Anantnag, was attacked by militants supporting the Awami League. Says he: "If I get elected, I am going to raise the surrendered militants issue in



Delhi. How can you allow murderers who walk around with guns to participate in elections?"

At a meeting of Congress workers attended by former aviation minister Ghulam Nabi Azad, the main concern voiced was the harassment of Congress candidates and workers by surrendered groups, which

was making campaigning difficult. Congressmen were piqued that they should be hampered by militants who enjoyed the support of the counter-insurgency arm of the army, the Rashtriya Rifles.

Though the official line has been that surrendered militants have also given up their arms, it is no secret that they possess weapons. According to Army Corps Commander, Major-General J.S. Dhillon, some of the surrendered militants have been given weapons for their safety. Militants now on the Government side—like Papa Khistwari, the self-styled deputy commander of the Ikhwan-ul-Muslimoon—talk of how their group has been provided weapons by the army.

For his part, Khistwari says that his job is to ensure voter turnout. In fact, a day before the May 23 polling, he said he was prepared to guarantee a 50 per cent turnout, adding: "I don't need guns. Just this lathi is enough to keep pro-Pak militants away and ensure polling."

The surrendered militants have also not hesitated to take on their rivals with muscle power. Points out Mohanlal Sopori, vice-president of the state BJP. "The biggest mistake made by the Congress government in Delhi was to allow the surrendered militants to enter politics when their comrades go around with guns." But all that is water under the bridge; surrendered militants are here to stay and to get rid of them would involve another bloody operation.



Government Higher Secondary School, a crowd of about 300 male voters had lined up outside the booth by 8.30 am. They said it was pressure from the RR stationed in their village that had forced them to come to vote. Even when interviewed individually, the refrain was similar: an RR Major had asked the local mulla to announce from the mosque at about 6 am that everybody should vote. Later, RR men came to their houses and told them that they would be beaten up if they did not cast their votes.

But, it was not as if everybody was against the polls. Some senior citizens said they did not see any point in voting because they could think of no candidate worth electing. Since they had been coerced, they would vote for all candidates: "Our policy is to vote for everyone. Everyone will be happy and the army will leave us in peace."

the area agreed that the common complaint of the people was that they had been forced into voting but said that he could not comment on any action involving the RR. As for the voters, a sizeable section of them wished to be heard and their view is that they had merely come to vote to stay clear of trouble.

But not all the villagers are as docile. At Malangpora, close to Pulwama, a district town, Shubhan Krishen Tickoo—the Anantnag candidate of the Awami League, a political front of the surrendered militant group Ikhwan-ul-Muslimoon—was surrounded by irate villagers who impressed upon him that they had nothing to do with an election in which people like him were contesting. Tickoo was on a tour of his constituency and had nothing to say about the RR and his men threatening people who had not voted. In this vil-

**ASSEMBLY SEGMENTWISE
VOTING PERCENTAGE IN
BARAMULLA**

1. Karanah
2. Kupwara
3. Lolab
4. Handwara
5. Langate
6. Uri
7. Rafiabad
8. Sopore
9. Gurez
10. Bandipur
11. Sonawari
12. Sangrama
13. Baramulla
14. Gulmarg
15. Pattan

**VOTING PERCENTAGE
BARAMULLA IN 1989
5.07 PER CENT**

HOW THE VALLEY VOTED ON MAY 23



lage, those who did not vote were told that they would be asked to sit in a trough of cold water through the night. "One swallow does not a summer make. This is an odd incident," Tickoo countered.

About three kilometres out of Pulwama in Machbana village, the entire community—men, women and children included—was out protesting against RR atrocities in the morning. So agitated were the villagers that they were even ready to assault the press party since it represented the Government in Delhi. The protesters wanted to make it very clear they were totally opposed to any election imposed with the help of the gun.

In Anantnag town the surrendered militant groups, Muslim Mujahideen, the JK Ikhwan of south Kashmir and the Ikhwan-ul-Muslimeen, were out in full force. And although army corps commander, Maj. Gen. J.S. Dhillon, had on the day before elections categorised surrendered militants as those who have given up arms, there were armed civilians moving about in the town in

vehicles. In booth No. 46 Mushtaq Ahmed, the polling agent of the JK Ikhwan-sponsored Independent candidate, Abdul Rashid Misgar, admitted that force was used to bring the voters out of their homes. Said he: "If you don't use force there can be no elections here." In another polling centre in Anantnag, a surrendered militant was found inside the booth. He shied away from the press.

Many polling centres in the Anantnag constituency were conspicuous by the absence of any polling agent from any other party other than those sponsored by surrendered militants. Though he had no complaints about the elections, the Congress candidate from Anantnag, Taj Mohi-ud-Din, pointed out that his polling agents refused to go to the booths out of fear of the Ikhwan militants.

What transpired in Anantnag found clear echoes in Baramulla. Here again, the RR and some of the paramilitary forces heaped discredit on themselves in trying to achieve a high voter turnout. In Baramulla town, voters whose names did not figure on the list were actually herded into the polling booth and given a mark on



Poll by post

their index finger so that they would not be troubled by the security forces later.

In Sopore, which is identified as a sensitive area, the press parties were subjected to the same complaints of RR excesses. It was remarkable that unlike in the rest of the country a crowd of disgruntled voters were present at almost every polling booth. Many said that they had been waiting since morning. No one in Sopore looked like they had come on their own free will to vote. The response from the people in Patti and Dehna was also quite similar.

When confronted by the charge that the RR and the security agencies seemed to have overstepped their brief of "creating an atmosphere conducive to elections", Jammu and Kashmir Chief Secretary Ashok Kumar denied it outright that there had been any pressure on the people to vote. When cornered by examples and

eyewitness accounts, his only explanation was that the people out of fear of pro-Pakistan militants may have been unwilling to admit that they had come out on their free will and had therefore conveniently put the blame on pressure from the security forces. This, incidentally, was the same explanation provided by Hilal Hyder, a leader of the surrendered militant group Al-Ikhwan. Hyder's men were quick to hide their weapons as he categorically denied the use of the gun in Anantnag town.

But there was no way the chief secretary or the chief election officer, J.A. Khan, could explain how those below the age of voting had actually cast their votes in both Baramulla and Anantnag constituencies. Neither could Khan account for the lack of secrecy in many of the polling booths where the voters had to stamp their choice on the ballot paper in the presence of the polling officer and

A Cautious Response

The Clinton Administration prefers to wait and watch

THIE largely peaceful elections in the Kashmir Valley have not provoked much comment from the Clinton Administration, which seems to have decided on a wait-and-watch approach. This is partly due to the fact that news reports on the elections have tended to be rather sketchy.

Requesting anonymity, a State Department official says that while he is heartened by the fact that there was "not a lot

of violence or election irregularities in this first election in the state in seven years", it is not clear "how many people in the state had actually voted and how many had, in fact, boycotted the elections".

Another Administration insider is more forthcoming. Reacting to news reports that people had been forced to vote in Baramulla, he says: "Preliminary reports suggest that these elections have been the most peaceful and the least marred by problems. Obviously the state is in transition. The voter is not sure how this transition will resolve itself, but understands that it is part of the democratic process."

Commenting on the fact that many displaced Kashmiri Pandits were allowed to vote, former US ambassador to India William Clarke says it was just possible that the BJP could win a seat in Kashmir.

Clarke, who now oversees the India Chair at the Center for Strategic and International Studies (csis) in Washington DC, did not say whether having a BJP legislator would make the situation better or worse or whether allowing people to vote from outside the state was a distortion of the electoral process.

Shaun Gill, also an India-watcher at the csi, draws a parallel between the Kashmir elections and those in Punjab, which helped put an end to separatist violence: "It was a reinvigoration of the democratic process that allowed Punjab to return to normalcy. It is a first step, not a solution. People are tired of militancy. They want peace." He adds that the Akalis "are now in the driver's seat, so to speak, after having boycotted that first election".

Ludwina A. Joseph in Washington

The Wider Repercussions

With the heat being turned on in Kashmir, militants look for targets outside the Valley

EVEN as the nation observed Anti-Terrorism Day on May 21 to remind itself of Rajiv Gandhi's assassination five years ago, terrorists chose the day to remind the nation that they were alive, well and ticking. A bomb in south Delhi's busy Lajpat Nagar market killed 13 persons and injured scores of others. The identity of the killers is still not clear though it is believed to be the handiwork of the Jammu and Kashmir Islamic Front (JKI). Its aim: to thwart the Lok Sabha election back home and prevent popular participation.

Beyond scaring the 40,000 Kashmiri refugees in the capital, neither objective was achieved. But the high-intensity blast called the bluff that militant Kashmiri groups were incapable of striking outside their home turf. On May 22, a bomb went off in a state-run bus in Rajasthan, killing 22 persons. Bombay was on red alert after news came in that a member of the Lashkar-al-Sajjad had entered the city. Says corps commander, Major-General J.S. Dhillon: "With the army stepping up pressure in the Valley, militants are beginning to look for targets elsewhere."

Few buy Dhillon's theory.

sometimes under the watchful eyes of surrendered militants.

However, it is the security forces who tarnished their image through their role in the May 23 elections. And this comes at a time when the Army had just managed to marginalise the pro-Pak militant groups. In fact, it goes to the credit of the Army and the paramilitary that the level of violence which was expected during the build up to the elections actually did not take place. The Hizbul Mujahideen also failed to disrupt the elections.

There is one school of opinion in Srinagar that, under the circumstances, the poll would have been a major boost for the authorities had it not been marred by the overzealousness of those who wanted an impressive poll percentage. Points out Soz: "Even without all the coercion, about 15 per cent people would have voted and it may have been described as a free and fair poll and a positive step. What is wrong with a 15 per cent turnout? But the opportunity seems to have been wasted away in this percentage game."

In fact, a fortnight before the polls officials in the state administration admitted that a 20 per cent turnout was what they were working towards. Candidates of political parties like the Congress, Janata Dal and the BJP expected no more than 25 per cent votes to be cast. Now they admit that it was a forced turnout. But they are waiting for the results on June 3, after

Saiyuddin Soz of the National Conference won't even talk about the growing reach of Kashmiri militancy. Says A.A. Khan, who headed Maharashtra's anti-terrorist squad: "Kashmiri militants don't have the kind of base and backing Punjab militants had. They stand out or are turned in."

The Front started out in 1989 under the auspices of the Jammu and Kashmir Liberation Front (JKLF) as the Jammu and Kashmir Students' Liberation Front (JKSLF), gaining notoriety for taking the then home minister Mufti Mohammed Sayeed's daughter, Rubaiya, and Indian Oil executive V. Doraiswamy hostage. But

the killing of Kashmir University Vice-Chancellor Mushar-ul-Haq and HMT General Manager H.L. Khera saw JKSLF's breakaway from the JKLF.

Its chief patron, Hilal Beig, renamed the organisation the Ikhwan-ul-Muslimoon, but the arrest of its top leaders, increasing hostility with the Hizbul-Mujahideen and other pressures from within and outside created ideological and organisational dissensions in the group. Consequently, two new Ikhwan outfits sprung up.

Ikhwan-ul-Muslimoon survived and remained in Srinagar. The JKI was born after Sajjad Ahmad Kenu escaped from a

high security sub-jail in Srinagar early last year and began talking to his former colleagues. Sajjad was killed by the Special Operations Group of the state police in January 1996, following his return from Delhi where he allegedly masterminded the Sadar Bazaar blast. But the seeds were sown for the birth of the Front.

Lekha Rattanani in
Bombay, **Masood Hussain**
in Srinagar and
K.S. Narayanan in Delhi



The Lajpat Nagar blast in New Delhi

which many of them will voice their grievances, for those who expect to win do not want to risk a repoll as a result of complaints to the EC.

The obvious effort of the Government was to prove to the world that the people of Kashmir are all for democracy. There is no doubt that there is a growing sentiment which is opposed to the gun culture of the militants. People have also lost faith in Pak-sponsored insurgency which has disrupted normal life in the Valley for the last seven years.

But the goodwill earned through its operations seems to have been squandered by the state administration's unleashing of surrendered militants who, ironically, continue to wield their guns. To add to this, some of these militants were even allowed to contest the elections and their presence made it difficult for most candidates not backed by surrendered militant groups to campaign.

The elections, which at one level was managed by forcing voters to the polling booths to achieve a high turnout percentage, is being described by some army officers as a PR exercise aimed to impress the nation and the world and thus may be taken with a pinch of salt. However, the Government could have reasons to celebrate the 'voter response' as a first step towards establishing democratic governance in the Valley, however controversial that first step may be. ■

Turbulence leaves indelible scars on Kashmir's art

By Muzamil Jaleel

SRINAGAR, May 30.

"For two months, I struggled to paint a Kashmiri with a smiling face but failed," says artist Masood Hussain. "The work had been commissioned for a substantial amount of money. But every time I tried to paint a smiling face, unconsciously the strokes of my brush would turn it gloomy."

"How do you paint smiling faces when death dances in the streets?" asks another artist. "The trauma is too overwhelming."

Art always captures reality in non-politicised ways. It expresses subterranean emotions and trends. It shows what people may be experiencing deep within themselves. Picasso's paintings of the Spanish civil war probably said more about human suffering than all the writings on that war.

Masood Hussain cannot find the inspiration to paint a smiling Kash-

Mehboob is renowned among Kashmiri artists and has been influenced by M. F. Husain. He has been sketching police cordons and search operations which have for long been a part of everyday life. One of his sketches shows women huddled together in a dimly lit room. This resembles what one sees in Srinagar's old quarter where women from a neighbourhood take shelter together at the first sign of violence

miri face. But one of his canvases is of a houseboat on fire in the Dal Lake. Another of his paintings is of a head in blood-stained bandages.



A group of women look on at one of the sporadic anti-election demonstrations at Khaniyal in downtown Srinagar on Tuesday.

Shabir Mirza, in a sculpture called 'Portrait of a family', shows the windows of a sand bunker with the helmets of security men visible. One of his works is titled 'Cactus in a lily pond'. The lily pond is Kashmir when there was peace and the cactus stands for hardship and the present turmoil.

A calligraphist in Srinagar speaks of inexplicable bouts of anger. Another artist from down-town Srinagar

says that after the turmoil began, he has started drawing spider's webs.

This age-old Kashmir architecture with lattice work was mainly present in the residential homes of Kashmiri Pandits and the much revered Muslim shrines like the Charar-i-Sharief in the Valley, almost 70 per cent of which has been destroyed in violence.

PRIME MINISTER VISITS J & K

'Parties favour J&K poll, says Gowda'

(The Times of India News Service - Srinagar, July 6)

All the mainstream of political parties in Jammu and Kashmir favour early assembly elections in the state. Prime Minister H.D. Deve Gowda said here at the end of his day-long visit to the Valley on Saturday.

In a brief chat with reporters, Mr. Gowda said a date for the proposed assembly elections in the state would be finalised at a meeting of "nationalist leaders" in Delhi on July 8.

He reiterated his government's position that the question of the state's autonomy would be discussed with the elected representatives of the state after the assembly polls. The Centre, he said, had been encouraged by the people's participation in the recent parliamentary elections in the state.

Mr. Gowda's visit was the first by a Prime Minister during the seven-year-long militancy in the state. A general strike was observed in Srinagar to mark his visit. The strike was called by All-Party Hurriyat Conference and a militant group, the Jamiat-ul-Mujahideen.

The National Conference had said that the parliamentary elections in the Valley were "neither free nor fair". But the Prime Minister said that political leaders, whom he met here, had no doubt in their minds that the assembly polls would be free and fair.

Mr. Gowda also ruled out the withdrawal of the Disturbed Areas Act, that gives wide-ranging powers to the armed forces, before holding the assembly elections. The Act did not come in the way of holding elections, he said, adding that the elected government in the state would decide whether to retain or withdraw it.

Earlier, Mr. Gowda called a joint meeting of leaders of various mainstream political parties in the state, including the National Conference, the BJP, the Congress, the Janata Dal, the two communist parties, the Indira Congress and the Panthers Party, at the Nehru Guest House, overlooking the Dal Lake. Former chief minister Farooq Abdullah also participated in the all-party meeting. Leaders of the Forum for Permanent Resolution of Jammu and Kashmir (FPR) had a separate meeting with Mr. Gowda.

Soon after his arrival at the Air Force base at Avantipora in south Kashmir on Saturday morning Mr. Gowda, along with governor K.V. Krishna Rao and minister for information and broadcasting C.M. Ibrahim, made an aerial survey of the flood-hit areas of the Valley.



Rashtriya Rifles Van inspecting polling booths in Anantnag district on 23-5-96
(Photo by FFT)

J&K polls Magsaysay for by September free-and-fair *President's Rule will be extended*

BY OUR CORRESPONDENT

New Delhi, July 8: Major political parties agreed on Monday that Assembly elections should be held in Jammu and Kashmir by September-end and to extend President's Rule in the state, which ends on July 17.

"For constitutional reasons, President's Rule will have to be extended for a further brief period... This does not indicate any delay in holding of elections," home minister Indrajit Gupta said in a statement soon after an all-party meeting held on the issue.

The meeting was chaired by Prime Minister H.D. Deve Gowda, who reiterated his government's commitment to hold early and free and fair elections in Jammu and Kashmir. He also told the meeting about his visit to the state on July 6 and his "successful" talks with leaders of various political parties in Srinagar.

At the meeting, it was decided that to avoid all delays, a summary revision of electoral rolls would be completed within a month or so.

"Certain international circles abroad which have constantly decried the possibility of holding elections have suffered a setback. The ruling circles in Pakistan are today dismayed but will try their utmost to disrupt the Assembly elections," Mr Gupta said.

"As far as the promised maximum autonomy to the state is concerned, all parties agreed that its content and quantum can be decided only after further discussions when there is a duly elected Assembly and government in the state. There is no intention or

desire by the Centre to impose any formula on the people of the state without first heeding the voice of their elected representatives," Mr Gupta said.

While Congress representative at the meeting S.B. Chavan insisted that the maximum autonomy should be decided at New Delhi, the BJP wanted it to be based on the Sarkaria report by improving or modifying it. "Further, it should be applicable for all the states and not just to Jammu and Kashmir," said BJP leader Jaswant Singh, who was present at the meeting.

Mr Gupta turned down a BJP demand to hold Assembly elections in Jammu and Kashmir simultaneously with those in Uttar Pradesh, where President's Rule ends on October 18. "It would put a lot of strain on security forces and the government machinery," Mr Gupta said.

Those who attended the meeting included BJP leaders Atal Behari Vajpayee, Jaswant Singh and Sikander Bakht, CPM leaders Somnath Chatterjee and Giri Prasad, the AIADMK's R.K. Kumar, the Shiv Sena's Madhukar Sarportdar, IUML chief G.M. Banatwala, Indira Congress president N.D. Tiwari and Congress leader S.B. Chavan.

credibility to the electoral system. "Because of him, they say, Indian elections are safer and cleaner today and more truly reflect the will of the people. As a consequence, more Indians are voting," it added.

"When India's politicians proved reluctant to legislate reforms, he launched a crusade of his own. Seshan set about cleaning Augean stables of Indian democracy in one election after another," the citation said of Mr Seshan, who became Chief Election Commissioner in 1990 and is scheduled to retire next year.

Seshan

Manila, July 8: Chief Election Commissioner T.N. Seshan has been given the 1996 Magsaysay award for government service on Monday.

The Manila-based Ramon Magsaysay Award Foundation lauded Mr Seshan for changing the face of Indian elections and proving in the process that "in their nation of 900 million souls, Asia's most diverse democracy reigns." Mr Seshan, 62, is the first recipient of the Magsaysay awards-Asia's version of the Nobel prize-to be announced this year. The awards are named in honour of Ramon Magsaysay, a popular Philippine President who died in a 1957 plane crash.

Meanwhile, the Chief Election Commissioner said he was happy at being chosen for the prestigious award.

Asked for his reaction, Mr Seshan said he was "happy and humbled" to be given this year's Magasaysay Award. He said he would be going to Manila to receive the award on August 31.

The award citation said "His (Seshan's) critics call him arrogant and abrasive. But others see him as the iron man of Indian democracy, who had cowed the high and mighty and restored

Acknowledgements

The team acknowledges the help given by various friends, and the role played by democratic forces in Kashmir who helped us collect information at grave danger to their lives.

We also thank all newspapers and magazines and photographers whose material has been used to enrich this report. We apologise to any such persons or organisations whom we could not give credit.

This report has been funded by the contributions and funds raised by various Civil Liberties and Democratic Rights, Organisations who are signatories to this report.

For copies of this report contact

ANDHRA PRADESH CIVIL LIBERTIES COMMITTEE (APCLC), ANDHRA PRADESH.
21/5/409, Puranapul Gate, Hyderabad - 500 264.

ASANSOL CIVIL RIGHTS ASSOCIATION (ACRA), WEST BENGAL
Westend Municipal Market, G T. Read, Asansol-4, Burdwan (W.B.), 713304.

ASSOCIATION FOR DEMOCRATIC RIGHTS (AFDR), PUNJAB.
838, Krishna Nagar, Opposite to Aarti Theatre, Ludhiana, Punjab 141 001.

ASSOCIATION FOR PROTECTION OF DEMOCRATIC RIGHTS (APDR), WEST BENGAL.
18, Madan Baral Lane, Calcutta 700 012.

COMMITTEE FOR THE PROTECTION OF DEMOCRATIC RIGHTS (CPDR), BOMBAY.
C/o 104, YMCA, N. Parekh Marg, Colaba, Bombay-400 039.

LOKSHAHI HAKK SANGHATANA (LHS), BOMBAY.
Laxmi Niwas, 2nd Flr., 697 Katrac Road, Wadala, Bombay 400 031.

MANAB ADHIKAR SANGRAM SAMITI (MASS), ASSAM
C/o "ASOMIYA PRATIDIN", Maniram Dewan Rd., Chandamari, Guwahati-781 003.

PEOPLE'S DEMOCRATIC FORUM (PDF), BANGALORE.
634, 35th Cross, 22nd Main, 4th T-B'lock Jaya Nagar, Bangalore-560 041.

PEOPLE'S RIGHTS ORGANISATION (PRO), NEW DELHI.
C/o C-2/111-C, Lawrence Road, New Delhi-110 035.

cover Photograph : Courtesy : Outlook

Price : Rs.15/-

*We dedicate this report to all
those brave men and women who
have lost their lives in the
struggle for democratic rights*



Printed and Published by **Lokshahi Hakk Sanghatana**, Laxmi Niwas, 2nd floor, 697 Katrac Road, Wadala, Bombay 400 031; at Comprint, Matru Kripa, Babu Rao Parulekar Road, Dadar, Mumbai 400 028

on behalf of the joint fact-finding committee of organisations for democratic rights and civil liberties : Andhra Pradesh Civil Liberties Committee (**APCLC**), Andhra Pradesh; Asansoi Civil Rights Association (**ACRA**), West Bengal; Association For Democratic Rights (**AFDR**) Punjab; Association for Protection of Democratic Rights (**APDR**), West Bengal; Committee for the Protection of Democratic Rights (**CPDR**), Bombay; Lokshahi Hakk Sanghatana (**LHS**) Bombay; People's Rights Organisation (**PRO**), New Delhi; People's Democratic Forum (**PDF**), Bangalore.